

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(211)

CRM-M-12945-2021

Date of Decision : November 25, 2021

Vijay Gorla @ Mamdotia

..Petitioner

Versus

State of Punjab

..Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Piyush Sharma, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

Custody certificate of the petitioner has been filed in the Court today and the same is taken on record.

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.99 dated 19.06.2020 registered under Sections 323, 148 and 149 of the Indian Penal Code, 1860 (Sections 325 and 379-B IPC added later on) at Police Station Mamdot, District Ferozepur.

Learned counsel for the petitioner submits that except Section 379-B IPC, all the other sections invoked in the FIR are bailable. Learned counsel for the petitioner further submits that the allegations with regard to the snatching are yet to be proved during the trial and as the investigation is

already over and the trial is likely to take some time before its concludes, the petitioner may kindly be extended the benefit of regular bail.

Learned counsel for the respondent-State concedes the factum that except Section 379-B of the IPC, all the other offences are bailable in nature but submits that the petitioner had hit the complainant on his head and further that the petitioner is a habitual offender having other cases pending against him as well.

Learned counsel for the petitioner submits that in the other cases, the petitioner has already been extended the benefit of bail as the allegations in one of those FIR are that the petitioner was conspiring along with the other persons so as to commit crime.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the facts and circumstances of the present case where all the sections of the IPC invoked are bailable except Section 379-B IPC and the allegation of snatching is yet to be proved during the trial and the trial is likely to take some time before it concludes, no useful purpose will be achieved in keeping the petitioner behind the bars especially when learned counsel for the petitioner has undertaken before this Court in case the petitioner is extended the benefit of bail, he will maintain good conduct and will not influence the trial or the witnesses in any manner.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses

and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

November 25, 2021

harsha

**(HARSIMRAN SINGH SETHI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No