

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

204

CRM-M-31339-2021 (O&M)

Date of decision: 12.08.2021

GURPREET SINGH

..Petitioner

Versus

STATE OF PUNJAB

..Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Gurpreet Singh, Advocate for the petitioner.  
Mr. Bhupender Beniwal, AAG, Punjab.

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**ANIL KSHETARPAL, J (Oral)**

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

This is the second petition for grant of bail, pending trial, in a criminal case arising from FIR No.0002, dated 04.01.2021, registered under Section 379B IPC (Section 411 IPC added later), at Police Station Kotwali, Bathinda.

The first petition was dismissed as withdrawn on 08.06.2021.

While granting bail to the co-accused Raju, the following order has been passed:-

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

This is the second petition for grant of bail, pending trial, in a criminal case arising from FIR No.002, dated 04.01.2021, registered under Section 379-B IPC, (Section 411 IPC added later on), at Police Station Kotwali, Bathinda.

As per the case of prosecution, two boys after throwing chillies in the eyes of first informant, Sh. Raju son of Darshan Singh snatched an envelope containing Rs.50,000/- along with a gold chain from his neck. The first informant while getting the FIR registered, disclosed the registered plate number of the scooter used by the snatchers.

The first application was dismissed as withdrawn on 08.06.2021.

The learned counsel representing the petitioner contends that the petitioner is in custody since 04.01.2021 and there is no recovery from him. He submits that the alleged snatched gold chain has been recovered from Gurpreet Singh, a co-accused.

On the other hand, the learned State counsel submits that the petitioner is involved in a heinous crime.

It is not disputed that the police, after completing the investigation, has already presented a report under Section 173 Cr.P.C. and the learned trial Court has also framed charges. There is no recovery of stolen articles from the petitioner. Learned counsel for the petitioner submits that the petitioner does not have any criminal antecedents which is not contested by the learned State counsel.

Keeping in view the fact that the petitioner has already suffered incarceration for a period of nearly 7 months and the conclusion of trial is likely to take time, the petition is allowed and the petitioner is ordered to be released on bail subject to furnishing bail bonds and surety bonds to the satisfaction of the learned Trial Court/Chief Judicial Magistrate/Duty Magistrate.

All the pending miscellaneous applications, if any, are also disposed of.

The learned counsel representing the petitioner contends that the petitioner has been falsely implicated and he is in custody since 04.01.2021. He further submits that after completing the investigation, the challan has been presented and the trial Court has also framed charges.

The learned State counsel contends that a gold chain has been recovered from the custody of the petitioner. On a question of the Court, he admits that the petitioner does not have any criminal antecedents apart from the case in question.

The conclusion of trial is likely to take time. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate.

All the pending miscellaneous applications, if any, are also disposed of.

12.08.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

**(ANIL KSHETARPAL)**

**JUDGE**