

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-27534 of 2020
Date of decision:15.03.2021

Gurjinder Singh @ Jinda

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Jupinder Pal Singh Brar, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to (Covid-19) pandemic.

The petitioner is seeking regular bail in case FIR No.159 dated 21.07.2020 (Annexure P-1) registered under Section 379-B of Indian Penal Code, 1860, however, Section 411 IPC was added later on, at Police Station Maur, District Bathinda.

Counsel for the petitioner has contended that the petitioner has been falsely framed in the FIR as the alleged incident of snatching of mobile phones took place on 17.07.2020 whereas the FIR was registered four days later. He submits that the petitioner has been involved in another case bearing FIR No.121 dated 16.07.2020 registered under Section 379 IPC at

Police Station City Mansa wherein he has been released on bail by the trial Court, vide order dated 20.08.2020 which is taken on record as Mark A-1. Counsel submits that the investigation is complete, challan has been presented and the petitioner is no longer required for custodial interrogation.

Per contra, State counsel upon instructions from ASI Charanjit Sharma, has opposed the petition and submitted that recovery of two mobile phones has been effected from the petitioner. He further submits that the second FIR was registered against him as he had stolen bike which he has used in the present crime. As per his instructions, challan has been presented on 15.09.2020, though the charge is yet to be framed. He has filed the custody certificate dated 15.03.2021 which is taken on record. A copy thereof, has been supplied to the counsel for the petitioner.

I have considered the submissions of the parties.

Keeping in view the above facts and circumstances, nature of allegations, the gravity of offence and the fact that trial is likely to take time, no purpose would be served by keeping the petitioner behind bars any further.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

It is clarified that any observation made hereinabove shall not be construed to be a reflection of opinion on the merits of the case.

The petitioner will furnish an undertaking to the effect that henceforth, he will not indulge in any criminal activity and in case, he violates the undertaking, it will be open to the prosecution to seek cancellation of the bail.

(SUVIR SEHGAL)
JUDGE

March 15, 2021
savita

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No