

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

208

**CRM-M-45508-2021
Date of decision: 07.12.2021**

GURDEV SINGH @GEBA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Nitn Narula, Advocate
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab
for the respondent-State.

SANT PARKASH, J. (ORAL)

The case has been taken up for hearing through video conferencing.

Prayer in this petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner, in case, FIR No. 108 dated 02.06.2021 registered under Section 379-B (2) of the Indian Penal Code, 1860 at Police Station Kathu Nangal, District Amritsar.

The above said FIR was registered on statement of Satwinderjit Singh who alleged that on 31.05.2021 at about 3.00 P.M., he along with his wife and sister-in-law were going to bus stand from their village on foot and when they reached Amrit Palace then two young boys armed with *datars* came on motorcycle. The accused persons stopped and threatened to kill them. In the meantime, the accused persons snatched the purse of his sister-in-law and fled away from the spot.

Custody Certificate dated 06.12.2021 has been sent by learned State Counsel through e-mail, print out of which is taken on record.

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. There is delay in lodging of the FIR of two days after the alleged occurrence. The petitioner is not attributed for inflicting any injury. The petitioner is in custody since 03.06.2021. Challan has already been presented and trial is likely to take long time due to restrictions imposed to prevent spread of infection of Covid-19. No useful purpose will be served by keeping the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel opposed the submissions of learned Counsel for the petitioner and has submitted that the petitioner along with his co-accused have snatched the purse of sister-in-law of the complainant and have threatened to kill them. In view of the gravity of accusation, the petitioner does not deserve grant of regular bail. Therefore, the petition may be dismissed.

Having considered the facts and circumstances of the case, the period of custody of the petitioner, challan has already been presented, no injury is attributed to the petitioner and the fact that the trial is likely to take long time due to restrictions imposed to prevent spread of infection of Covid-19 but without expressing any opinion on

the merits of case, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

07.12.2021
kavneet singh

(SANT PARKASH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No