

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-773 of 2022
Reserved on January 14, 2022
Pronounced on :January 18, 2022

Gursharanjit Singh @ SunnyPetitioner(s)

Vs.

State of PunjabRespondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr.Arunjeet Singh Kakkar, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
127	02.08.2021	City Moga, District Moga	379-B IPC and Sections 473, 411 IPC and 25 of Arms Act

The petitioner arrested in the FIR captioned above had come up before this Court under Section 439 CrPC seeking regular bail

2. As per para No.13 of the bail petition, the petitioner has criminal antecedents as detailed below:-

FIR No.	Dated	Police Station	Sections	Status
-	-	-	302, 323, 148, 149 IPC	Pending vide CRA-D-501-2019

3. Brief facts of the case are that the complainant informed the police that he is a car dealer. On 01.08.2021, he was showing his cars to the customers in the open space outside his shop. One Angrej Singh son of Jangir Singh had parked his Swift car for sale outside his shop. At about 5:00 P.M, two clean shaved young-men came and expressed their desire to buy a car. His son-Sharanjit Singh, who was

helping in the business of the complainant gave keys to the customers and sat in the back seat of the car. After considerable time, when the son of the complainant alongwith the customers didn't come back, he got worried. About after half an hour, he received a phone call from his son that the said persons had thrown him out of the vehicle and snatched the car. Based on this information, the Police registered above-mentioned FIR. The police arrested five persons viz. Harpreet Singh @ Happy, Ajaypal Singh, Gursharanjit Singh @ Shunny, the petitioner-Satnam Singh @ Sattu and Ranjit Singh @ Rana. It was revealed that as a part of conspiracy, Satnam Singh @ Sattu was having pistol and had threatened the son of the complainant and forced him to alight from the car.

4. Ld. Counsel for the petitioner contends that the co-accused-Ranjit Singh @ Rana has already been granted concession of regular bail on 09.12.2021 passed in CRM-M-48417 of 2021 by this Court. He further contends that incarceration before the proof of guilt would cause grave injustice to the petitioner and family.

5. Learned State counsel argued that if this Court is inclined to grant bail, then such a bond must be subject to very stringent conditions.

REASONING:

6. Although, the petitioner is entitled to get concession of regular bail on the ground of parity but as per para No.13 of the bail petition, one case under Section 302 IPC was registered against the petitioner. Consequently, since the matter is for serious offence under Section 302 IPC and the petitioner was convicted in the said case as such he is not entitled to grant of bail at this stage.

7. This order does not, in any manner, limit or restrict the rights of the Police or the investigating agency from further investigation per law.

8. Any observation made hereinabove is neither an expression of opinion on the merits of the case, nor shall the trial Court advert to these comments.

9. *There would be no need for a certified copy of this order for furnishing bonds. Any Advocate for the petitioner(s) can download this order along with the case status from the official web page of this Court and attest it to be a true copy. The Prosecutor shall also verify the downloaded copy by comparing it from the official web page. In case the attesting officer or the Court wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

10. In the facts and circumstances peculiar to this case, the petition stands dismissed at this stage.

(ANOOP CHITKARA)
JUDGE

January 18, 2022

sonia arora

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