

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

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CRM-M-9952-2022 (O&M)

Date of Decision: 28.07.2022

GURJIT SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Munish Raj chaudhary, Advocate
for the petitioner.

Mr. Harbir Sandhu, AAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.402 dated 13.08.2021, registered under Sections 379-B, 411, 34 IPC, at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner submits that the petitioner, along with two other accused persons, has falsely been involved in the present case; that the petitioner has been in custody since 14.08.2021 and that, as far as another FIR No.367 dated 24.07.2021 under Section 379-B IPC is concerned, the petitioner has been named in the said FIR, after his arrest in the present FIR and he is on bail. He further submits that co-accused, namely, Amritpal Singh, has already been granted the concession of bail by the learned Sessions Judge, Barnala vide order dated 02.07.2022 and that the alleged recovery had already been effected from the petitioner.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner along with co-accused, namely, Amritpal Singh and Harjit Singh @ Happy have snatched mobile phone from Rinku and that the said mobile phone along with SIM card was recovered from the petitioner. He further submits that the petitioner is a habitual offender, inasmuch as, there are two more FIRs registered and/or pending against the petitioner and that post presentation of the challan, the charge(s) is yet to be framed and prosecution evidence is yet to commence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 14.08.2021. Co-accused has already been enlarged on bail. In another case registered and/or pending against the petitioner, he is on bail. Charge(s) is yet to be framed and prosecution evidence is to commence. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

28.07.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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