

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

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CRM-M-32674-2022 (O&M)

Date of Decision: 02.08.2022

GURBAJ SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. GS Gill, 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.96 dated 27.04.2022, registered at Police Station City Samana, District Patiala, under Section 379-B, 323, 341, 506, 148 and 149 IPC.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the petitioner has been in custody since 08.05.2022; that recovery of one mobile phone and rupees one thousand has already been effected from the petitioner and that co-accused, namely, Mastan Singh @ Mani, has already been granted the concession of regular bail by the learned Sessions Judge vide order dated 10.06.2022. He further submits that there are two more FIRs registered against 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 had actively participated in the alleged occurrence, inasmuch as, recovery was effected from the petitioner. He further submits that registration of two more FIRs against the petitioner, speaks volumes about his criminal antecedents.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 08.05.2022. Co-accused has already been enlarged on bail by the Sessions Court. Nothing is to be recovered from the petitioner. Investigation is going on and challan is yet to be presented. 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.

02.08.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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