

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

(1) **CRM-M No. 52821 of 2021**
Date of Decision: 22.03.2022

Jatin Bharadwaj Alias Nannu Petitioner

Versus

State of Punjab Respondent

AND

(2) **CRM-M No. 52834 of 2021**

Sanjiv Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Rajesh Duhan, Advocate,
for the petitioner(s) (in both cases)

Ms. Bhavna Gupta, Deputy Advocate General, Punjab

(Through Video Conferencing)

SURESHWAR THAKUR, J. (ORAL)

1. This order shall dispose of the present two petitions, seeking grant of regular bail to the petitioner(s), as both, arise from a common FIR No. 272 of 07.12.2020, registered against the present bail applicant(s) - petitioner(s), at Police Station Rajpura, District Patiala, constituting therein offences, under Sections 379-B, 411 of the IPC.

2. The bail applicants-petitioners, namely, Jatin Bhardwaj alias Nannu, and Sanjiv, are stated to be suffering judicial incarceration, respectively, since 07.12.2020 & 12.12.2020.

3. Both the bail applicant(s) – petitioner(s) are alleged to commit the offences (supra), as, constituted in the FIR (supra).

4. Be that as it may, the learned State Counsel, on instructions, meted to her, by the Investigating Officer concerned, submits that all the relevant recoveries become effectuated, at the instance of both the petitioners, to the IO concerned. Moreover, when the learned State Counsel makes a submission, that after completion of the investigations, an affirmative report under Section 173 of the Cr.P.C., has been instituted, by the IO concerned, before the learned trial Judge concerned, and, also that thereafters, the learned trial Judge concerned, has drawn the relevant charge(s) against the petitioners, besides also keeping in view the fact that the petitioners are in custody since the month December 2021, therefore, this Court does not deem it fit to order for any prolongation of the judicial incarceration of the petitioners. Contrarily, it is deemed appropriate to admit to bail, the bail petitioners.

5. However, the learned State Counsel opposes the grant of bail to the bail applicants, on the ground that both the bail applicants are habitual offenders, inasmuch, as they are involved in other criminal cases also.

6. The afore made submission is benumbed, upon this Court, making stringent conditions upon the bail applicants, inasmuch as theirs making an undertaking before the learned trial Court, that they shall not re-indulge in any criminal activity, whereupon, on breach thereof, the benefit of regular bail, as granted to them shall become *ipso facto* annulled, leaving liberty to the Arresting Officer, to forthwith arrest them, and, to thereafter, produce the bail applicants before the learned Magistrate concerned, for

upon them.

7. Consequently, with condition (supra), the instant petitions are allowed, and the bail applicants – petitioners are ordered to be released from judicial custody, on their furnishing personal and surety bonds in the sum of ₹ 50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to their not tampering with prosecution evidence, and/or not influencing prosecution witnesses, and, also their appearing before the trial Court concerned, as and when they are required to be making their personal appearances unless validly exempted.

March 22, 2022

**(SURESHWAR THAKUR)
JUDGE**

'dk kamra'

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>