

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

208

**CRM-M-2454-2022  
Date of decision: 28.04.2022**

**GAGANDEEP KUMAR @ KATTA**

....Petitioner

**Versus**

**STATE OF PUNJAB**

...Respondent

**CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

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Present : Mr. Vinay Yadav, Advocate  
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

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**VINOD S. BHARDWAJ. J. (ORAL)**

The instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 by the petitioner for seeking concession of regular bail in case bearing FIR No. 0158 dated 28.07.2021 registered under Sections 454 and 380 of the Indian Penal Code, 1860 at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

2. Learned counsel appearing on behalf of the petitioner *inter alia* contends that the petitioner is in judicial custody since 02.08.2021 and that the case is at initial stages. Only one witness has been examined so far out of 12 witness. He contends that the alleged stolen items have already been recovered and continued custodial detention would not advance any interest of justice.

3. Mr. Karanbir Singh, AAG, Punjab further submits that the petitioner is involved in yet another case of similar nature. He however

could not controvert the fact that the petitioner has already been granted the concession of regular bail in the said case. It is also not disputed that the petitioner has undergone an actual custody of more than 08 months in the present case and that the proceedings is still at the initial stage.

4. I have heard learned counsel appearing on behalf of the respective parties and have gone through the record with their assistance.

5. Taking into consideration, the fact that the recovery has already been effected as well as the custody of period of the petitioner along with the present stage of trial, I deem it appropriate to enlarge the petitioner on bail to the satisfaction of the trial Court.

6. The instant petition is allowed and the petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)  
JUDGE

APRIL 28, 2022  
vishal sharma

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