

CRM-M-9332-2023

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

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**CRM-M-9332-2023**

**Date of Decision: 17.07.2023**

Gursharanjeet Singh alias Sona

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. G.S. Sandhu, Advocate,  
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

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**JASGURPREET SINGH PURI, J. (ORAL)**

1. The present is a second petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.74, dated 21.04.2021, under Sections 379-B, 379, 397 of the IPC and Sections 25, 27, 54 & 59 of the Arms Act, registered at Police Station Sadar, Sri Muktsar Sahib, District Sri Muktsar Sahib.

2. Learned counsel for the petitioner has submitted that the petitioner is in custody since 01.05.2021, which is more than 2 years and till date, only two witnesses have been examined including the complainant and eye-witness. He further submitted that there has been discrepancies in the statement of the complainant and considering the long custody of the petitioner, he may be considered for grant of regular bail.

3. On the other hand, Mr. Rajiv Verma, learned DAG, Punjab has filed custody certificate of the petitioner in Court today, which is taken on record and submitted that the petitioner is involved in as many as six more

cases of similar nature of snatching and Arms Act and the petitioner had repeated the offence as and when he was released on bail and there is a strong apprehension that in case the petitioner is released on bail then he may again repeat the offence or even may abscond from justice. He further submitted that in the present case, the petitioner along with the co-accused had snatched a motorcycle and one mobile phone and at the time of recording of the statement of the complainant, he has stated that it was done by showing a pistol but thereafter, it was found that instead of pistol it was a *kappa* and submitted that the previous antecedents of the petitioner would disentitle him for grant of regular bail.

4. Learned counsel for the petitioner has stated that the petitioner has already been acquitted in four out of the aforesaid six cases.

5. I have heard the learned counsel for the parties.

6. It is a case where the petitioner although in custody for more than 2 years but the allegations against the petitioner are very serious in nature wherein he along with the co-accused had allegedly snatched the motorcycle with other articles from the complainant. The submissions made by the learned State counsel that as and when the petitioner was released on bail then he had again committed an offence and there is a strong apprehension that in case the petitioner is released on bail then he may repeat the offence or may abscond from justice, cannot be ignored and carries weight.

7. Therefore, considering the gravity of the offence and the fact that the petitioner is involved in six more cases of similar nature although as per the learned counsel for the petitioner, he has been acquitted in four cases, this Court does not deem it fit and proper to grant regular bail to the petitioner.

8.           Consequently, finding no merit in the present petition and the same is hereby dismissed.
9.           However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

17.07.2023  
*Bhumika*

(JASGURPREET SINGH PURI)  
JUDGE

1. Whether speaking/reasoned           Yes/No
2. Whether reportable:                   Yes/No