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2023:PHHC:076244

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9665-2023
DECIDED ON: 25th MAY, 2023

HARPREET SINGH @ BAGGU

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Mikhail Kad, Advocate,
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in case FIR No. 84, dated 16.07.2022, under Sections 379-B, 201, 411, 34 IPC, registered at Police Station City Dhuri, District Sangrur.

2. As per the allegations in the FIR, on 15.07.2022 the complainant had gone to City Dhuri, in connection with some work and at about 12.00 PM, when she was going from the side of Satte Wala Bridge towards Kakarwal bridge in city Dhuri and when she reached near furniture shop, one scooter make Jupiter being driven by two young persons came from backside and the person, who was pillion rider on that scooter, snatched the purse of the complainant containing Rs.5,000/-, one mobile phone make Readmi 8, Aadhar Card, ATM Card etc and they fled away on their scooter.

3. Learned counsel for the petitioner submits that there is no specific

allegation against the petitioner and the petitioner is nominated as an accused on the basis of the video viral on social media. He further submits that the occurrence took place on 15.07.2022 and the FIR was lodged on 16.07.2022, which shows that there is one day delay in lodging the FIR.

3. Custody certificate filed by learned State counsel is taken on record. According to which the petitioner has suffered incarceration for a period of 10 months and 9 days as of now. He opposes the prayer made in the present petition on the ground that the petitioner is involved in numerous other cases and is a habitual offender.

4. As far as the pendency of other cases is concerned this Court has already observed in numerous cases including in the case of **Baljinder Singh @ Rock vs. State of Punjab**; CRM-M-25914-2022, decided on 02.03.2023, that pendency of other cases qua the accused cannot be a predicament or bar to release him on bail in the instant case, as the evidence or incriminating material on the basis of which he is nominated as an accused in the other FIR cannot be read as a material evidence in the instance case and is to be adjudicated on the basis of evidence in that particular case, as has been observed by this Court in the case.

5. Considering the fact that charges have been framed wherein, conclusion of trial will certainly take long time added with the fact that the co-accused of the petitioner namely Arshdeep Singh from whom the recovery was made, has already been granted the concession of regular bail by this Court vide order dated 14.12.2022 passed in CRM-M-47863-2022, this Court is of the considered view that no useful purpose would be served by keeping the petitioner behind the bars for an uncertain period. Hence, the petitioner is ordered to be released on bail subject to his furnishing personal and surety bonds to the satisfaction of learned

Trial Court/Duty Magistrate concerned.

- 6. The present petition is allowed in view of afore-said terms.
- 7. However, it is made clear that any observation made hereinabove, shall not be construed as an expression of opinion on the merits of the case.

25th MAY, 2023
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(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>