

CRM-M-20302-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20302-2022

Date of decision: 17.01.2023

Khushapreet Singh @ Khus

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sandeep S. Majithia, Advocate,
for the petitioner.

Ms. Ishma Randhawa, Additional AG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this second petition, the petitioner seeks regular bail in case FIR No.164 dated 01.06.2020, registered at Police Station Sadar Amritsar, under Sections 379-B(2) and 34 IPC and Section 411 IPC (added later on).

Learned counsel for the petitioner contends that as per the prosecution version, the petitioner was riding the motor-cycle whereas co-accused, Veer Singh @ Gullu Jawani, a pillion rider, had threatened the complainant with a knife and co-accused, Suraj Singh @ Thandi, another pillion rider, had snatched the mobile phone from the complainant; that aforesaid Suraj Singh @ Thandi has since been granted the concession of regular bail, and that the petitioner has been in custody since 16.08.2021.

Learned counsel for the petitioner further submits that challan has been presented; that charges are yet to be framed, and that so far as two other cases registered or pending against the petitioner, are concerned, he has been released on bail therein.

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On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner alongwith the co-accused had snatched the mobile phone of the complainant, which had been recovered from co-accused, Suraj Singh @ Thandi, and that the motor-cycle used in the offence, had been recovered from the petitioner. Learned State counsel further submits that the petitioner is a habitual offender and that there are as many as two other cases registered or pending against the petitioner.

I have heard the learned counsel for the parties.

Challan has already been presented. The charges are yet to be framed. The petitioner has been in custody since 16.08.2021. The mobile phone of the complainant was recovered from co-accused, who has since been granted the concession of regular bail. So far as two other cases registered or pending against the petitioner, are concerned, he has been released on bail therein. Moreover, the trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, 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 and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

17.01.2023

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No