

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

CRM-M-22498-2023

Date of Decision: 16.05.2023

ARSHDEEP SINGH @ ASHU

..... PETITIONER

VS

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present : Mr. Ashish Aggarwal, Advocate for the petitioner.

Mr. Sarbjit Singh Cheema, DAG, Punjab.

GURBIR SINGH, J. (ORAL)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No. 043 dated 22.05.2022 under Section 379B (2) IPC (Sections 323, 411, 34 added later on) registered at Police Station Verka, District Amritsar City.

The case in question was registered at the instance of one Deepak Singh. As per allegations, on 22.05.2022, he alongwith his minor son was going on Motorcycle and when he reached near Doon School, G.T.Road, By Pass, six persons came on two motor cycles and stopped him after giving signal. Out of them, three persons who were having Datar and Kirpans, gave blows to him, while the remaining persons gave fist blows and abused him. One of them, who was Sikh, took mobile phone make Redmi bearing two Sim Cards along with Rs.2000/- from his pocket. When the son of the complainant raised hue and cry, all the

accused ran away from the spot alongwith their respective weapons. The complainant came to know the that one of them is petitioner and on the basis of complaint, FIR was registered.

Learned counsel for the petitioner submits that petitioner was falsely implicated in this case. He was in custody in some other case and involved in this case. He has been in custody in this case since 20.06.2022. No recovery has been effected from him. Learned trial Court dismissed his application on the pretext that he is earlier involved in two other cases. He has referred to Annexures P-2 and P-3 to show that he was involved in those cases on disclosure statement of Jaspreet Singh-co-accused who is already granted bail in the said cases. Jaspreet Singh, the co-accused of this case from whom motorcycle used in the crime and knife were recovered, has already been granted regular bail in this case by the learned trial Court.

Learned State counsel has opposed the prayer made by the learned counsel for the petitioner and submits the petitioner is also involved in two other cases and he is named in the FIR. The petitioner and co-accused also caused injuries to the complainant and committed snatching. He has fairly admitted the fact that the petitioner is in custody since 20.06.2022.

Heard.

The petitioner has been in custody since 20.06.2022, Challan has already been presented. On the disclosure statement of the co-accused Jaspreet Singh, who has already been granted the concession of regular bail by the learned trial Court, the petitioner is also nominated in other two cases in which he has already been granted concession of bail by learned

trial Court, no recovery is effected in this case from the petitioner, the pendency of other cases is no ground to deny the grant of concession of bail to the petitioner, the completion of trial will also take a long time to decide the culpability of the petitioner, no useful purpose would be served by keeping the petitioner behind bars for a long period.

Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction of learned Trial Court/Duty Magistrate, concerned.

However, nothing contained herein above shall be construed as an expression of opinion on the merits of the case.

(GURBIR SINGH)
JUDGE

16.05.2023
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>