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CRM-M-24182 of 2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-24017 of 2023 in/and
CRM-M-24182 of 2023
Date of Decision: 31.05.2023.

Gurjit Singh @ GeetuPetitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Ms. Shivani Saini, Advocate for
Mr. Isha Goyal, Advocate
for the applicant/petitioner.

Mr. Mohit Kapoor, Addl. A.G., Punjab.

VIKRAM AGGARWAL, J. (ORAL)
CRM-24017 of 2023

Prayer in the present application is to prepone the date of hearing of the petition filed by the applicant under Section 439 Cr.P.C. for the grant of regular bail on the ground that vide order dated 22.05.2023 passed in **CRM-M-24931 of 2023 titled as Sher Singh @ Shera Vs. State of Punjab**, the co-accused Sher Singh @ Shera has been granted regular bail.

For the reasons mentioned in the application, the same is allowed and the main case is preponed from 25.07.2023 to today.

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1. Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 (for short ‘the Cr.P.C.’) is for the grant of regular bail in

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case FIR No.65 dated 05.03.2023, registered under Sections 379-B and 411 read with Section 34 of the Indian Penal Code, 1860 (for short 'the IPC'), at Police Station Sadar, District Amritsar.

2. On 05.03.2023, the present petitioner along with co-accused Sher Singh @ Shera is alleged to have snatched a mobile phone from the complainant-Tauseef Alam. Both the present petitioner and Sher Singh @ Shera were arrested on the same date i.e., 05.03.2023 and the snatched mobile phone was recovered from Sher Singh @ Shera.

3. Learned counsel for the petitioner submits that the petitioner is in custody since 05.03.2023; the recovery of the mobile phone was made from the co-accused Sher Singh @ Shera, who has been released on regular bail vide order dated 22.05.2023 passed in CRM-M-24931 of 2023 titled as Sher Singh @ Shera Vs. State of Punjab; final report under Section 173 Cr.P.C. has already been submitted; trial will take a sufficiently long time and, therefore, no useful purpose will be served by keeping the petitioner in custody any longer.

4. On the other hand, learned counsel representing the State of Punjab has opposed the prayer for the grant of regular bail.

5. The petitioner is in custody since 05.03.2023. The recovery of the mobile phone was made from co-accused Sher Singh @ Shera, who has been granted regular bail by a Co-ordinate Bench vide order dated 22.05.2023 passed in CRM-M-24931 of 2023 titled as Sher Singh @ Shera Vs. State of Punjab. Final report under Section 173 Cr.P.C, has already been submitted. Trial will take a sufficiently long time and, therefore, no useful purpose will be served by keeping the petitioner in custody any longer.

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In view of the above, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

May 31th, 2023
Rekha

(VIKRAM AGGARWAL)
JUDGE

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