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

**CRM-M-27271-2023
Date of Decision: 13.07.2023**

Gagandeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Kanwaljeet Singh, Advocate,
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.93 dated 30.11.2022, under Sections 379-B & 120-B (Section 379-B(2) IPC added later on), registered at Police Station Maloud, District Khanna/Ludhiana.

2. Learned counsel for the petitioner has submitted that in the present case, the petitioner is in custody since 30.11.2022, which is for 7 months and 11 days and the investigation of the case has already been completed and thereafter, even one witness has also been examined. He further submitted that the subject matter of the alleged theft in the present case was only Rs.91,000/- and the name of the petitioner was nominated on the basis of disclosure statement of the co-accused. He also submitted that

the petitioner is involved in one more case of similar nature in which he was falsely implicated and it was only because of the aforesaid case, he was falsely implicated in the present case also. He further submitted that now the investigation of the case has already been completed and no further recovery is to be effected from the petitioner and the entire subject matter of the theft was only Rs.91,000/-, therefore, the petitioner may be considered for the grant of regular bail.

3. On the other hand, Mr. Rajiv Verma, learned Deputy Advocate General, Punjab, has submitted that it is correct that the petitioner is in custody since 30.11.2022 and the total subject matter of the theft is only Rs.91,000/-. He has however opposed the grant of bail to the petitioner on the ground that he is involved in more case.

4. I have heard the learned counsels for the parties.

5. The petitioner is in custody since 30.11.2022. The investigation of the case has already been completed and thereafter, one witness has also been examined. The mere fact that the petitioner is involved in one more case does not disentitle him for the grant of regular bail. Even otherwise also the entire subject matter of the theft is only Rs.91,000/-. Furthermore, it is neither the case of the State nor it has been argued by the learned State counsel that in case the petitioner is released on bail then he may abscond or flee from justice or may influence the witness or may tamper with the evidence. Therefore, considering the aforesaid facts and circumstances of the case, this Court deems it fit and proper to grant bail to the petitioner.

6. Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the

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satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

7. 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.

13.07.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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