

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

CRM-M-29848-2023

Decided on:-09.06.2023

Gurjit Singh

....Petitioner..

VS.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Jimmy Singla, Advocate,
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA J.

1. At the outset, learned counsel for the petitioner submits that Section 457 IPC has been added later on by the investigating agency but the same has not been mentioned in the head note or in the prayer clause of the present petition. He further submits that considering the fact that the summer vacations are in progress, on his oral request Section 457 IPC be added in the head note as well as in the prayer clause of the petition.

2. The aforesaid fact has been put to learned State counsel, who on verification from the Investigating Officer admits that Section 457 IPC has been added later on.

3. In view of the aforesaid, registry is directed to make necessary corrections in the head note as well as in the prayer clause of the petition by adding Section 457 IPC.

4. By way of present petition filed under Section 439 Cr.P.C,

prayer has been made for grant of regular bail in case FIR No.30 dated 11.02.2023, under Sections 379-B, 34 IPC (Section 457 IPC added later on), registered at Police Station Lehra, District Sangrur.

5. In the present case, petitioner was implicated on the basis of disclosure statement made by his co-accused, Mangu Singh on the allegations that both of them snatched amount from the shop of the complainant.

6. Learned counsel for the petitioner submits that the petitioner is in custody for the last 4 months and the trial is likely to take some time. He further submits that in order to show his bonafides, the petitioner is ready to deposit a sum of Rs.25,000/- with the trial court and thus, he prays for grant of concession of regular bail.

7. On the other hand learned State counsel opposes the prayer made on behalf of the petitioner while referring to the allegations levelled in the present FIR.

8. I have heard learned counsel for the parties and gone through the paper-book. I find substance in submissions made on behalf of the petitioner.

9. Considering the fact that the petitioner has been implicated only on the basis of disclosure made by his co-accused, Mangu Singh besides he having already suffered incarceration for a period of 4 months and the investigation in the present case already having concluded with the filing of challan and trial likely to take some time, I do not find any justified reason to extend his incarceration any further.

10. In view of the above, without expressing any opinion on the

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merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. The aforesaid amount of Rs.25,000/- as volunteered by learned counsel for the petitioner shall be deposited by the petitioner at the time of his release before the trial court/Duty Magistrate and the same be disbursed in favour of complainant-Pawan Bansal after verification.

09.06.2023
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(HARKESH MANUJA)
JUDGE

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