

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

CRM-M-32257-2023

Date of decision : 13.07.2023

Satbir Gill

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Subhash Kumar, Advocate
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in later on added Sections 465, 482, 483 IPC in case F.I.R. No.38, dated 7th of April, 2022 registered for the offences punishable under Sections 379-B, 420, 467, 468, 170, 171, 120-B IPC at Police Station Shahpur Kandi, District Pathankot.

It has been contended that earlier the petitioner was ordered to be admitted to bail vide order dated 8th of December, 2022. However owing to addition of offences punishable under Sections 465, 482, 483 IPC later on during the stage of investigation the bail bonds submitted by the petitioner could not be accepted.

Counsel for the petitioner relies upon the orders passed by this Court in CRM-M No.14433 of 2023, dated 27th of March, 2023 whereby co-accused Manjit Singh stands admitted to the bail observing as under :-

“3. Counsel for the petitioner submits that however the offences punishable under Sections 465, 482 and 483 IPC have been added necessitating the filling of the present bail petition to seek regular bail under them.

4. State counsel does not dispute the fact that addition of offences punishable under Sections 465, 482 and 483 IPC will not have an effect of taking away the factum of incarceration already suffered by the petitioner in view of which he was admitted to bail earlier.

5. In view of the above, present petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned in FIR No. 38 dated 07.04.2022 registered under Sections 379-B/420/467/468/170/171/120-B IPC (Sections 465, 482 and 483 IPC added during the stage of investigation at Police Station Shahpur Kandi, District Pathankot.”

In view of the above, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

July 13, 2023
Dpr

(Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No