

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M No.32044 of 2023 (O&M)
DATE OF DECISION: 17th NOVEMBER, 2023

Bachiter Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Gagandeep Singh Bajwa, Advocate
for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.23 dated 05.03.2023 registered under Section 379-B of IPC at Police Station Kathu Nangal, District Amritsar Rural.

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is concocted. He is not involved in the crime as alleged against him. Even as per the story of the prosecution, the allegation against the petitioner is that he was one of the members of the gang travelling in the car, who had snatched some material from the complainant. However, no recovery has been effected from the petitioner in this case. The petitioner is not required for any other investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

3. Notice of motion.

4. Mr. Jaspal Singh Guru, AAG, Punjab, accepts notice on behalf of the respondent-State. Custody certificate of the petitioner filed by learned State counsel today in the Court. The same is taken on record. Learned State Counsel, on instructions, from ASI Gurjinder Singh, has submitted that the petitioner is a member of gang who commit incident of snatching. In the present case as well, the petitioner, along with his co-accused, had done the snatching incident with the complainant. Not only the present case, rather, there are four more cases registered against the petitioner. Therefore, the petitioner does not deserve any concession of bail. However, it is not disputed by learned State counsel that in the present case, there has been no recovery from the petitioner.

5. Additionally, learned counsel for the petitioner has submitted that in all other cases mentioned by learned State counsel, the petitioner has already been acquitted.

6. In view of the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

17th NOVEMBER, 2023
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(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No