

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

205

CRM-M-34739-2022

Date of Decision : January 04, 2023

Gurpreet Singh

-Petitioner

VERSUS

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. A.P. Singh, Advocate
for the petitioner.

Mr. C.L. Pawar, Addl. A.G., Punjab.

KULDEEP TIWARI. J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. seeking grant of regular bail to the petitioner in case FIR No.36 dated 29.03.2022, registered under Sections 379-B & 411 of IPC, at P.S. Sadar Jagraon, during the pendency of the trial.

The allegation against the petitioner is that on 29.03.2022, at about 05:00 p.m., complainant Harjit Kaur was making cow-dung cakes in a plot, situated on the Phirni of the Village, and in the meantime, two persons came there on a motorcycle and the pillion rider snatched gold earrings from her ears, whereupon, she raised hue and cry. On hearing her alarm, people started gathering and consequently, both the motorcycle riders fled from the spot. One of the persons amongst the crowd disclosed the names of these two persons as Gurpreet Singh son of Resham Singh (present petitioner) and Baldev Singh @ Fauji son of Gurnam Singh, whose motorcycle number was PB-05-U-8042. Thereafter, the petitioner was arrested on 29.03.2022 and one gold earring was recovered from his possession.

Learned counsel for the petitioner stated that the investigation stands completed and the Final Report, under Section 173

Cr.P.C., has also been filed on 07.06.2022. The charges have been framed on 03.10.2022. The prosecution has cited total 9 witnesses to substantiate the allegations against the accused persons, however, no witness has yet been examined. He further stated the petitioner has suffered sufficient incarceration as he is behind the bars since 29.03.2022 till date and the trial is not likely to conclude any time soon.

The learned State counsel has filed the custody certificate of the petitioner today in the Court, which is taken on record. As per the custody certificate, the petitioner has undergone 9 months 6 days and he is not involved in any other case.

Considering the age of the petitioner and the period of incarceration undergone, I deem it appropriate to grant the benefit of regular bail. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

January 04, 2023

devinder

(KULDEEP TIWARI)

JUDGE

Whether speaking/reasoned.

:

Yes/No

Whether Reportable.

:

Yes/No