

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

CRM-M-37858-2022
Date of Decision:-**25.04.2023**

GURJANT SINGH ALIAS MASS

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Karanjeet Singh Brar, Advocagte
for the petitioner.

Mr. Chaman Lal Pawar, Addl. A.G. Punjab.

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KARAMJIT SINGH, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.295 dated 13.11.2021 registered under Sections 379-B, 411, 34 IPC at Police Station Sadar, District Fazilka.
2. The allegations in nut-shell are that complainant-Shakuntla Devi reported to the police that at about 5:30/6 am someone knocked at her door and when she opened the door, two men and one woman forced their entry in her house and started demanding money by promising to mortgage their gold. When she refused, the said three persons went out of the door of room and in the meantime, the aforesaid female

snatched gold ear-rings of the complainant and then they fled away on a motorcycle. The complainant suspected that the lady who had snatched her earrings was Palo Rani and her accomplices were Ramesh Singh @ Meshi and Gurjant Singh. During investigation all the three accused were arrested.

3. The counsel for the petitioner *inter alia* contends that the that the petitioner has been falsely implicated in the present case and is in custody since 12.12.2021 and during investigation no snatched article was recovered from his possession. The counsel for the petitioner further submits that after completion of investigation, police presented the challan but it will take considerable time for the trial to conclude as till date only one witness has been partly examined. So prayer is made that the petitioner be released on bail.
4. The present petition is contested by the State counsel, who submits that there are specific allegations against the petitioner that he accompanied main accused Palo Rani when she snatched ear-rings from the complainant. However, the State counsel has not disputed the fact that the petitioner is in custody since 12.12.2021 and that the snatched earrings were not recovered from the possession of the petitioner and that the trial is at its initial stage.
5. I have considered the submissions made by counsel for the parties.
6. There are no specific allegations that the petitioner snatched earrings from the complainant. It also appears that during investigation, co-accused Palo Rani was arrested along with the petitioner and the

recovery of snatched earrings was effected from said Palo Rani while one Activa Scooter is stated to be recovered at the instance of petitioner and Ramesh Singh @ Meshi. Admittedly, the case is at its initial stage and the petitioner is in custody for the last 1 year and 4 months and it will take considerable time for the trial to conclude. So no fruitful purpose is going to be served by keeping the accused behind the bars for any longer period.

7. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

25.04.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No