

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

**CRM-M-36853-2023
Date of decision: 31.10.2023**

ARSHDEEP @ ARSH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Gaurav Rana, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. AG, Punjab.

VIVEK PURI,J. (ORAL)

1. Custody certificate of the petitioner has been placed on record.
2. Arshdeep @ Arsh-petitioner is seeking regular bail in the case bearing FIR No.126 dated 21.10.2022 under Sections 379-B/34 IPC and Section 25 of Arms Act, registered at Police Station Chabbewal, District Hoshiarpur.
3. Learned counsel for the petitioner contends that the allegations in the FIR are with regard to snatching of a car and purse containing cash to the tune of Rs.2,000/- from the complainant and his mother. Gurpreet Singh @ Gopi, co-accused was named in the FIR and the petitioner has been nominated in the disclosure statement of the co-accused. Gurpreet Singh @ Gopi, co-accused has been granted bail by the Court of learned Additional Sessions Judge, Hoshiarpur in terms of order dated 05.09.2023. The allegations against the petitioner are with regard to the recovery of car. The petitioner is involved in another case bearing FIR No.375 dated 28.10.2022, under Sections 379-B/216-A and 411 IPC and Section 25 of Arms Act registered at Police Station Phillaur but the said case has been registered subsequently after the recovery of the car involved in the instant case. The petitioner is on bail in the other case registered against him.

Even, the co-accused, Gurpreet Singh @ Gopi who has been granted bail has

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been arraigned as an accused in the other FIR. The petitioner is in custody since 12.11.2022. The investigation of the case is complete and challan has been presented.

4. Learned State counsel has opposed the bail application on the score that the recovery of the stolen vehicle has been effected from the petitioner. Besides, a countrymade pistol has already been recovered from him.

5. It may be mentioned here that with regard to the recovery of countrymade pistol, the other FIR has already been registered against the petitioner. In the case, the name of the petitioner does not find mention in the FIR. He has been nominated on the basis of the disclosure statement of the co-accused. The recovery of the vehicle has been effected. The petitioner is in custody since 12.11.2022. He is on bail in other case which has been registered against him and consequence of the recovery of the stolen property of the instant case. The investigation of the case is complete and challan has been presented. The conclusion of trial is likely to take sometime. No fruitful purpose will be served by detaining the petitioner in further custody. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner.

6. Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. The petition is allowed accordingly.

31.10.2023

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(VIVEK PURI)
JUDGE