

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
225

CRM-M-46766-2022

Date of Decision: 20.04.2023

Gugga @ Goga

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Nitin Narula, Advocate for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

Custody certificate dated 19.04.2023 filed by learned counsel for the State is taken on record.

The petitioner has filed the present petition under Section 439 Cr.P.C., for grant of regular bail in case FIR No. 0010 dated 14.01.2016 registered under Section 379-B read with Section 34, Police Station B Division, District Amritsar.

Briefly, the aforesaid FIR was registered on the basis of statement of Ashok Kumar, who stated that on 14.01.2016 at around 6:30 P.M., he along with his wife was going to Tarawala Pul, where the petitioner along with his co-accused/Amandeep Singh, came in front of them and started demanding money. When the complainant resisted, they forcibly snatched the purse from the pocket in which Rs.3500/- and some documents were placed. Hence, the present FIR.

Learned counsel for the petitioners, *inter alia* contends that earlier the petitioner was granted bail by the trial Court vide order dated

07.11.2016 (Annexure P-2). Thereafter, he was absent before the trial Court on 30.01.2017. The bail granted to the petitioner was cancelled. Finally, he was declared as proclaimed offender on 01.04.2017. Petitioner was again arrested on 25.04.2019 and since then he is in custody for the last four years. Petitioner is not involved in any other case. Trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody.

On the other hand, learned counsel for the State vehemently opposed the submissions made by learned counsel for the petitioner. However, learned counsel for the State fairly conceded the fact that petitioner is not involved in any other case.

Keeping in view the facts and circumstances of the case, custody period of the petitioner and also the fact that he is not involved in any other case, but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and petitioner, namely; Gugga @ Goga, is ordered to be released on regular bail on furnishing of bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

20.04.2023
rishu

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No