

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

**CRM-M-47141 of 2022
DECIDED ON: 12.04.2023**

JASVEER SINGH ALIAS GAGGU**.....PETITIONER**

VERSUS

STATE OF PUNJAB**.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.**

Present: Mr.Ashish Gupta, Advocate for the petitioner.

Mr.Mohit Chaudhary, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

In the instant petition, petitioner seeks grant of under Section 439 Cr.P.C., has been filed for grant of regular bail to the petitioners in FIR No.46, dated 22.04.2021 under Sections 379 and 413 IPC (Sections 411 and 473 added later on) registered at Police Station Bajakhana District Faridkot.

FIR was registered on the basis of secret information to the effect that Nachhatar Singh @ Bhola, Surjit Singh, Karamjit Singh @ Mottu (petitioner in CRM-M No.23235 of 2021), Gaggu Singh, Jagsir Singh (petitioner in CRM-M No.22857 of 2021) and Janta Singh were habitual of stealing valuable copper and coil etc. from transformers installed in the fields and areas of village Bargari Bajakhana and Jaito. The accused used to sell the same to Sanjeev Kumar @ Ashu Ram. The accused were apprehended. Sukhjit Singh, Surjit Singh @ Billi and Budh Singh were nominated on the basis of disclosure statements of Karamjit Singh @ Motu (petitioner in CRM-M No.23235 of 2021). Seven plastic bags containing copper were recovered from the house of Surjit Singh son of Fangam Singh. In the FIR, offences under Sections 379, 413, 411 and 473 IPC have been alleged.

Learned counsel for the State has filed the custody certificate dated 11.04.2023 which is taken on record. According to the same the petitioner has under gone 10 months and 22 days and one more case is pending against the petitioner i.e. FIR No. 60 dated 22.04.2021 registered

under Section 379 IPC, Police Station Jaito in which he is no on bail.

Learned counsel for the petitioner has relied upon order dated CRM-22857 of 2021 of 22.07.2021 and order dated 24.09.2021 in CRM-M-34638 of 2021 vide which the co-accused has already been granted the concession of regular bail by this Court.

In view of the entirety and facts and circumstances of the case particularly in the light of the fact that co-accused of the petitioner have already been granted concession of regular bail by this Court and that nothing incriminating has been recovered from the petitioner and also taking into consideration the fact that trial is likely to take some time, and therefore, no fruitful purpose will be served by keeping the petitioner behind bars, the petitioner is directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The present petition is, therefore, allowed.

(SANDEEP MOUDGIL)
JUDGE

12.04.2023

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>