

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106+223

CRM-53343-2023;
CRM-53347-2023 in/and
CRM-M-61333-2023
Date of Decision.:19.12.2023

Shamsher Singh @ Moti
Vs.
State of Punjab

.....Petitioner
.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Charanpuneet Singh, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

CRM-53347-2023:

This is an application under Section 482 Cr.P.C. so as to add
Section 411 of the IPC in the headnote as well as prayer clause of the
petition.

2. Notice of the application.
3. Mr. Harkanwar Jeet Singh, AAG, Punjab accepts notice on
behalf of respondent- State.
4. Learned State counsel has no objection.
5. Application is allowed.
6. Amended petition as filed by the petitioner is taken on record.

CRM-M-61333-2023:

7. The petitioner is seeking regular bail by way of petition filed

under Section 439 Cr.P.C in case FIR No.134 dated 11.08.2023 registered under Sections 379-B(1), 34 of the IPC registered at Police Station Dugri, District Ludhiana.

8. As per the prosecution allegations, FIR was lodged on the complaint of Subag Singh Grewal, as per which on 05.08.2023 at about 07:30/08:00 p.m., two persons came to his shop on a scooter asking for some rental accommodation. Complainant accompanied them. As they reached in the area of City Centre, Shaheed Bhagat Singh Nagar, they stopped the scooter and by showing the fear of causing injuries with sharp edged object, they snatched the purse of the complainant containing ₹4,000/- and fled away. Later on, complainant came to know their names as Shamsheer Singh @ Moti (petitioner) and Gurvinderpal Singh.

9. Learned counsel for the petitioner contends that petitioner has been falsely implicated; that similarly placed co-accused Gurvinderpal Singh has already been allowed regular bail by the Trial Court vide order dated 30.10.2023 (Annexure P-2) and benefit of bail has been declined to the petitioner only because of his criminal antecedents.

10. Notice of motion.

11. Mr. Harkanwar Jeet Singh, AAG, Punjab accepts notice on behalf of respondent- State.

12. Learned State counsel did not refute the contention that case of the petitioner is on the same footing as that of co-accused Gurvinderpal Singh who has already been allowed bail by the Trial Court concerned.

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Custody certificate placed on record by learned State counsel reveals that petitioner is in custody for the last 04 months and 06 days, though involved in two more cases pertaining to the Arms Act.

13. Having regard to the above facts and circumstances particularly on the basis of parity, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

14. Pending application(s), if any, also stands disposed of.

(DEEPAK GUPTA)
JUDGE

December 19, 2023

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No