

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

**CRM-M No.227 of 2024 (O&M)
Date of decision : 11.01.2024**

Jasbir Singh @ Jasbeer Singh

..... Petitioner

versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Umesh Aggarwal, Advocate for the petitioner.

Mr. J.S.Arora, DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

1 This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.48 dated 02.05.2023 registered under Sections 379-B (2)/34 IPC (Section 411 IPC as mentioned in the Addl. Sessions Judge order) at Police Station Division C, District Amritsar.

2 Custody certificate has been filed. The same is taken on record. As per the same, the petitioner is behind bars since 12.05.2023 and has suffered incarceration for more than 8 months.

3 FIR was registered against unknown persons. As per the case of the prosecution on the basis of CCTV footage the petitioner, along with Jasbir Singh @ Bholu and Pardeep Kumar were nominated in the present case.

4 Learned counsel for the petitioner submits that the investigation already stands concluded. Challan stands presented and

thus there can not be any apprehension that the petitioner shall tamper with the evidence. The custody of the petitioner cannot be prolonged as a punitive measure.

5 *Per contra* learned State counsel on instructions from ASI Satnam Singh however submits that the petitioner is a habitual offender and there are 5 more cases pending against the petitioner.

6 Faced with this situation counsel for the petitioner relies upon ***Prabhakar Tewari Vs. State of UP and Anr., 2020 (1) RCR (Criminal) 831*** to submit that the involvement of the petitioner in several more cases cannot be a ground to deny bail. Further reliance has been placed on ***Maulana Mohd. Amir Rashadi Vs. State of UP (SC), 2012(2) SCC 382.***

7 I have heard learned counsel for the parties and have gone through the records of the case.

8 Without commenting on the merits of the case and considering the incarceration suffered by the petitioner, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

9 Needless to say anything recorded herein shall not be construed as an expression of opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

11.01.2024

Pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes
No