

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-2534-2024

Date of Decision:-23.01.2024

Gurpreet Singh @ Golu.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Sukhjit Singh, Advocate for the Petitioner.

Ms. Ramta K Chaudhary, Deputy Advocate General, Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.141 dated 03.09.2023 under Sections 379-B, 411 IPC registered at Police Station Model Town, Ludhiana, District Ludhiana.

2. The present FIR came to be registered at the instance of Gurpreet Singh who stated that on 01.09.2023 while he was travelling with his wife and children, a young person came from the back side on a Honda Activa black coloured scooter bearing registration number PB-10-HZ-8025 and snatched a gold chain from the neck of his wife and fled away. A search of the person revealed that he was one Gurpreet Singh @ Golu (petitioner).

3. The learned counsel for the petitioner contends that the

petitioner has been falsely implicated in the present case. There was a no CCTV footage of the incident to show that it was the petitioner who had committed the offence in question. As the petitioner was in custody since 03.09.2023, none of the 10 prosecution witnesses had been examined so far and in the one other case arising out of FIR No.32 dated 21.03.2023 under Section 379-B, 411 IPC P.S. Shimlapuri, he was granted the concession of bail, therefore, he was entitled to the concession of bail in the present case as well.

4. The Counsel for the State on the other hand contends that the petitioner was a habitual offender with one other case of similar nature registered against him. The Aactiva Scooter and the gold chain had been recovered from him. Therefore, he was not entitled to the concession of bail. She however, concedes that the petitioner was in custody since 03.09.2023, none of 10 prosecution witnesses had been examined so far and that in the other case registered against him he was granted the concession of bail.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner was in custody since 03.09.2023 and none of the 10 prosecution witnesses have been examined so far, therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Gurpreet Singh @ Golu** son of Sh. Amarjit Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate,

concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the cases mentioned in this order.

9. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

9. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 23, 2024

Vinay

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No