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

**CRM-M-8609-2024 (O&M)
Date of decision : 18.11.2024**

Jaswinder Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. S.S. Chakkal, Advocate,
for the petitioner.

Ms. Neha Sonawane, DAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.47 dated 02.05.2023, under Sections 458, 379-B, 323, 324 read with Section 34 (Sections 397, 326, 342, 411 & 120-B added subsequently) of the Indian Penal Code, 1860, registered at Police Station Phase 11, District SAS Nagar (Mohali), Punjab.

2. Allegations are that petitioner along with other co-accused intruded into the house of the *de facto* complainant-Radha Rani; gave beatings to her and snatched away gold ornaments.

3. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 09.05.2024 and he is



regularly appearing before learned trial Court. There is no apprehension that petitioner is likely to influence the prosecution witnesses or hamper the trial, in any manner.

4. Learned State Counsel, on instructions, has fairly acknowledged the above factual position.

5. Heard learned counsel for both the sides and perused the paper book.

6. It is a matter of record that petitioner was granted interim bail by this Court on 09.05.2024 and relevant part of the order reads as under:-

“Learned counsel for the petitioner contends that three co-accused, namely Roshan Singh, Baljit Kaur and Harpreet Kaur, have already been granted concession of bail pending trial by this Court vide order(s) dated 16.02.2024, 14.02.2024 and 14.02.2024 respectively

Learned State Counsel seeks time to have instructions regarding the fate of other accused as well as pendency of other similar cases against the petitioner.

Posted for 24.07.2024.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

SHO concerned, shall ensure that complainant-Radha Rani is present on the next date of hearing”

7. It is acknowledged by learned State counsel that in terms of the aforesaid order, petitioner was released on interim bail and he is regularly appearing before learned trial Court; there is no allegation that he is likely to misuse the concession of bail or hamper the



proceedings in case his interim bail is made absolute; three co-accused have already been granted the concession of bail pending trial by this Court and as such, sending the petitioner to custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 09.05.2024, is made absolute. Petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. Above observations be not construed as an expression of opinion on merits of case, in any manner.

11. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

18.11.2024
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No