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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8788-2024 (O&M)

Date of decision: 07.03.2024

Gurpreet Singh @ Gopy

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Dharamvir Sharma, Advocate
for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

KULDEEP TIWARI, J.

1. Through the instant petition, the petitioner craves for indulgence of this Court for his being enlarged on regular bail, in case FIR No.153 dated 30.05.2023, under Section 379B(2), 34 of the IPC, registered at P.S. City Tarn Taran, District Tarn Taran.
2. Succinctly stated, the genesis of the prosecution case is embodied in the complaint made by one Anjali, that she has been working in the OSHEA beauty product company, at Tarn Taran from the last two months and her monthly salary is Rs. 9000/-, on dated 30.05.2023, her elder sister Jyoti who is unmarried, came to her for some work. At about 7:15 P.M. when they crossed the railway crossing near Sandhu Karyana Store then the young man who was sitting on the back seat of the motorcycle snatched her purse containing Rs. 450/- Indian Currency and her tiffin box.

It is further submitted by the complainant that she was dragged by them for

about half kilometer and she even received severe injuries on her body. The passerbys on the road caught the accused persons and handed them over to the police. On inquiry, the driver of the motorcycle disclosed his name as Harpreet Singh @ Happy, and the pillion rider of the motorcycle disclosed his name as Gurpreet Singh @ Gopi.

3. The learned counsel for the petitioner, in his asking for the relief (*supra*), submits that the petitioner, who has been languishing behind bars since 31.05.2023, has clean antecedents, as he is not involved in any other criminal case, therefore, he deserves the concession of regular bail.

5. Per contra, the learned State counsel, vehemently opposes the grant of regular bail to the petitioner, however, he does not contest the *factum qua* period of incarceration suffered by the petitioner, as also the *factum qua* clean antecedents of the petitioner. Moreover, on instruction imparted to him by the official concerned, he informs this Court that charges have already been framed by the learned trial Court on dated 03.02.2024, and the trial is at the stage of recording of prosecution witnesses; and out of total nine witness, none has been examined so far.

6. Considering the submissions made hereinabove, especially the fact that (i) the petitioner has clean antecedents, as he is not involved in any other criminal case; (ii) the petitioner, as is evident from custody certificate dated 06.03.2024, he has undergone actual custody of 09 months and 10 days as on today (iii) the trial is moving at a snail's pace and is not likely to conclude anytime soon, this Court deems it fit and appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of

bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Trial Court/Duty Magistrate.

7. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

07.03.2024

Satyawan

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No