

210 IN THE HIGH COURT OF PUNJAB AND HARYANA  
CHANDIGARH

CRM-M-10374-2024 (O&M)

Date of Decision: 04.03.2024

GURJANT SINGH @ JANTI

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Simrat Kaur, Advocate  
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

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HARPREET SINGH BRAR J. (Oral)

1. This is the first petition filed under Section 439 of Cr.P.C. seeking grant of regular bail to the petitioner in the case bearing FIR No. 130 dated 31.07.2023 registered under Sections 379-B(2), 34 of Indian Penal Code and (Section 323 of IPC added later on) at Police Station Majitha, District Amritsar Rural.

2. The aforesaid FIR was registered on the statement of the complainant-Jatinder Singh on the allegations that on 31.07.2023, he alongwith Navdeep Singh were waiting for the bus and in the meantime three persons came on a motorcycle, out of which two persons put them under the fear of datar whereas third person kept the motorcycle start and Navdeep Singh ran away from the spot. Then snatchers forcibly snatched his mobile phone and whey they tried to snatch his purse he resisted them due to which one assailant gave datar blow on his head. After conclusion of the investigation the challan has already been presented on 27.10.2023 and trial of the case is yet to commence.

3. Learned counsel for the petitioner *inter alia* contends that identically placed co-accused namely Jagga Singh has been granted the

regular bail by this Court vide order dated 08.11.2023 (Annexure P-4) passed in CRM-M-55139-2023.

4. Per contra, learned State counsel opposed the prayer for grant of regular bail to the petitioner on the ground that the petitioner is found involved in serious offence and considering the gravity of offence allegedly committed by the petitioner, he does not deserve the concession of regular bail. However, learned State counsel could not controvert the fact that the petitioner is not involved in any other case and similarly situated co-accused Jagga Singh has already been granted the concession of regular bail by this Court.

5. Having heard the learned counsel for the parties and after perusing the record, this Court finds that during the course of investigation it was concluded that the co-accused Gurwinder Singh @ Kalu has caused injury to the complainant. Keeping in view the facts and circumstances of this case and without commenting upon the merits of the case, lest it may prejudice the outcome of the trial, this Court is inclined to allow the present petition.

6. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail bonds/surety bonds to the satisfaction of CJM/Duty Magistrate concerned.

7. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)  
JUDGE

04.03.2024  
Ajay Goswami

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |