



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No. 203 CRM-M-10603-2024(O&M)
Date of Decision: 18.11.2024

Gagandeep Singh @ Gagan ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Harpreet Kaur Arora, Advocate
for the petitioner.

Mr. B.S. Bali, Addl. A.G., Punjab

JASGURPREET SINGH PURI, J.(ORAL)

1. The present is a second petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.183 dated 21.09.2020, under Sections 307, 379-B, 454 IPC and Sections 25 & 27 of Arms Act, registered at Police Station Shimlapuri, District Police Commissionerate Ludhiana.

2. Learned counsel for the petitioner submitted that in the present case, the petitioner is in custody for 3 years and 10 months and the allegations were that the petitioner alongwith some other co-accused had come to the shop of the complainant and had snatched an amount of Rs.4,43,000/- on pistol point and also tried to kill the complainant but till date even the charges have not been framed by learned trial Court and considering the long custody of the petitioner, he may be considered for the grant of regular bail.

3. On the other hand, Mr. B.S. Bali, Addl. A.G., Punjab, on instructions received from AI Sukhwinder Singh, has submitted that so far



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as the custody of the petitioner is concerned, the same is correct and it is also correct that charges have not been framed by learned trial Court till date but the petitioner is not entitled for grant of regular bail on the ground that he is a habitual offender as there are 08 more cases registered against him.

4. I have heard the learned counsels for the parties.
5. As per both the learned counsel for the parties, the custody period of the petitioner is stated to be 03 years and 10 months and even charges have not been framed by learned trial Court till date. In view of the above, the argument, raised by learned State counsel that the petitioner is a habitual offender, would not be sustainable in the present case. In view of the long custody period of the petitioner, this Court deems it fit and proper to grant regular bail to the petitioner.
6. Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing of bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned, if not required in any other case.
7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

18.11.2024
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No