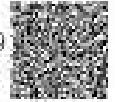


CRM-M-12810-2024 (O&M)
Date of decision: 10.09.2024

...Petitioner

...Respondents

2. Learned counsel for the petitioner submitted that the petitioner is in custody for 2 years, 7 months and 16 days and now 7 prosecution witnesses including the complainant have been examined. He further submitted that as per

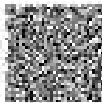


the allegations, the petitioner along with another co-accused, namely, Harpreet Singh @ Happy snatched one mobile phone, cash of Rs.5,000/-, PAN Card and Aadhar Card and in fact the aforesaid Harpreet Singh @ Happy has already been extended the benefit of regular bail by this Court in CRM-M-7008-2024 on 12.03.2024. He further submitted that the petitioner is also entitled for the grant of regular bail not only on the ground of parity with the aforesaid co-accused but also on the ground of long incarceration, which is 2 years, 7 months and 16 days. He further submitted that the petitioner has been falsely implicated in the present case because he is involved in 5 more cases of similar nature. He also submitted that be that as it may, considering the long custody of the petitioner, stage of the trial and the fact that the petitioner is at parity with the aforesaid co-accused, namely, Harpreet Singh @ Happy, who has already been extended the benefit of regular bail by this Court, he may also be considered for the grant of regular bail.

3. On the other hand, Mr. Rajiv Verma, DAG, Punjab submitted that it is correct that the petitioner is in custody for 2 years, 7 months and 16 days and the aforesaid co-accused, namely, Harpreet Singh @ Happy has already been extended the benefit of regular bail by this Court on 12.03.2024 and the petitioner is at parity with the aforesaid co-accused. He has however opposed the grant of regular bail to the petitioner on the ground that he is a habitual offender and is involved in 5 more cases of similar nature.

4. I have heard the learned counsels for the parties.

5. It is not in dispute that the petitioner is in custody for 2 years, 7 months and 16 days and it is also not in dispute that the aforesaid co-accused, namely, Harpreet Singh @ Happy has already been extended the benefit of



regular bail by this Court as aforesaid and the present petitioner is at parity with the aforesaid co-accused. As per both the learned counsels for the parties, now 7 prosecution witnesses including the complainant have already been examined. The mere fact that the petitioner is involved in 5 more cases of similar nature and he is a habitual offender would not become a ground for denial of regular bail to the petitioner.

6. Therefore, this Court is of the view that considering the long incarceration of the petitioner as aforesaid, stage of the trial and parity of the petitioner with the aforesaid co-accused, namely, Harpreet Singh @ Happy, the petitioner deserves the concession of regular bail.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

9. Since the main case has been decided, no order is required to be passed in miscellaneous application bearing CRM-20395-2024.

10.09.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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