

2024:PHHC:091728



213 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24348-2024
Decided on:-22.07.2024

Hardev Singh @ GopiPetitioner..

VS.

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Shivendra Pal Singh, Advocate for
Mr.Brijeshwar Singh Bhalla, Advocate,
for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present second petition filed under Section 439 Cr.PC, prayer has been made for grant of regular bail in case FIR No.131 dated 13.10.2022, registered under Sections 379-B and 34 IPC at Police Station D-Division, District Amritsar, wherein the petitioner along with his co-accused has been implicated with the allegations of having snatched 150 grams of gold along with Rs.30,000/- from the complainant.
2. On the other hand, the prayer made herein has been opposed at the instance of learned State counsel while referring to the antecedents of the petitioner, who is stated to be involved in four more cases and the details thereof are as under:-

Sr. No.	Case No.	Offence u/s	Status
1.	FIR No.280/2022 dated 01.12.2022,Police Station Chherretta	307, 120-B,148, 149, IPC and Section 25(8), ,54/59 of the Arms Act	Not on bail
2	FIR No.269/2022 Dated 07.11.2022, Police Station Chherretta	366/34 IPC, Section 25 of the Arms Act	On bail
3.	FIR No.254/22 dated 24.09.2022,Police Station Tanda	379-B, 395, 482, 149, 411 and Section 25/54/59 of the Arms Act	Not on bail
4.	FIR No.64/23 dated 06.02.2023, Police Station Islamabad	42/52-A Prison Act	Sentence completed

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

4. In the present case, investigation already stands concluded with the filing of challan. The petitioner is in custody for the last 01 year & 1 months and even charges have not been framed so far and thus, the trial is definetly going to take some time. Moreover, no recovery has been effected from the petitioner, besides it, the other co-accused of the petitioner have already been granted the concession of regular bail by the Court of Additional Sessions Judge, Amritsar vide separate orders (Annexure P-2 to P-5).

As regards the involvement of the petitioner in other cases, as per the information provided by learned State counsel, in one case, he is on bail and in one case, sentence has already been completed and in remaining two cases, pending trial.

5. Considering the aforesaid facts, this Court does not find justification to extend the incarceration of the petitioner any further.

6. In view of the above, but without commenting upon merits of

the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaqa Magistrate/Duty Magistrate concerned.

7. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

22.07.2024
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(HARKESH MANUJA)
JUDGE

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