



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

212

CRM-M-25376-2024

Date of Decision.:24.05.2024

Sukhbir Singh @ Gora

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kushagra Mahajan, Advocate for the petitioner.

DEEPAK GUPTA, J. (ORAL)

At the oral request of learned counsel for the petitioner, Section 379-B IPC is directed to be inserted, in place of Section 379 IPC, in the headnote as well as prayer clause of the petition. Registry to carry out necessary correction.

2. The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.381 dated 28.12.2022 under Sections 379B & 34 of the IPC, 1860 registered at Police Station Division B, District Amritsar.

3. As per the allegations, on the night intervening 26/27.12.2022, unknown persons waylaid complainant Rajwinder Singh, and snatched his mobile and wrist watch. Later on, the petitioner and co-accused Paramjit Singh @ Nikka @ Kala were identified to be the snatchers.

4. Learned counsel contends that petitioner has been falsely implicated; that similarly placed co-accused Paramjit Singh @ Nikka @

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Kala has already been allowed bail by the Court of Sessions vide order dated 10.05.2024 (Annexure P-2); that petitioner is in custody for the last more than 01 year and 01 month; that trial may take long time to conclude and so, he be allowed bail.

5. Notice of motion.

6. Mr. Sahil R. Bakshi, AAG, Punjab accepts notice on behalf of respondent- State.

7. Learned State counsel concedes the fact that case of petitioner is on parity with co-accused Paramjit Singh @ Nikka @ Kala. The custody certificate placed on record by learned State counsel would reveal that petitioner is in custody for the last 01 year 01 month and 17 days. Though learned State counsel informs that out of 19 witnesses cited by the prosecution, none has been examined but it is stated by learned counsel for the petitioner that 01 witness has been partly examined so far. Thus, trial is likely to take long time to conclude.

8. Having regard to the above facts and circumstances, particularly on the basis of parity, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

May 24, 2024

Neetika Tuteja