

2024.PHHC:102951



105+205.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29394-2024 (O&M)

Date of decision: 09.08.2024

Parvinder Singh @ Parveen

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Shakti Mehta, Advocate, for the petitioner.

Ms. Avneet, AAG, Punjab.

GURBIR SINGH, J. (Oral)

CRM-27408-2024

Prayer in this application filed under Section 482 Cr.P.C. is to place on record medical record of the petitioner as Annexure P-5.

For the reasons mentioned in the application, same is allowed and the document Annexure P-5 is taken on record subject to all just exceptions.

CRM-M-29394-2024

1. This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.0089, dated 30.06.2020, registered under Section 379-B (Sections 411, 201 IPC added lateron) at Police Station City Samana, District Patiala.

2. The aforesaid FIR was registered on the basis of complaint submitted by Gurpreet Kaur with the allegations that on 29.06.2020 when she along with her minor son Avtar Singh was coming back to their home on their motorcycle after taking medicines from Civil Hospital, Samana, two clean shaved persons came from behind and pillion rider, who muffled his face, snatched the purse of the complainant and ran away from the spot. On enquiry, she came to know that said persons were Parvinder Singh @ Parveen (present petitioner) and Happy.

2.1 Petitioner was earlier granted in Section 379-B IPC vide order dated 04.09.2020 and thereafter, Sections 411 and 201 IPC were also added and under those added sections, he was also granted bail vide order dated 08.10.2020. But on 07.06.2023, he got himself absent from the court and arrest warrant was issued against him and ultimately, he was declared proclaimed offender vide order dated 07.02.2024. He was arrested on 10.04.2024 and since then, he is in custody.

3. Learned counsel for the petitioner submits that it was due to some miscommunication with his counsel before the trial Court, he could not appear and his bail was cancelled. It is further submitted that investigation in the case has already been completed and there is nothing to be recovered from the petitioner. Further incarceration of the petitioner is totally uncalled for and will not serve any purpose. Petitioner undertakes to appear before the trial Court on each and every date of hearing.

4. Learned State counsel seeks some more time to file status report in the case. She has opposed the bail to the petitioner by contending that if he is released on bail, he may abscond as he did earlier and declared proclaimed offender. However, she has not disputed the custody period of the petitioner.

5. I have heard learned counsel for the petitioner, learned State counsel and have gone through the paper book.

6. Keeping in view the fact that the petitioner is in custody for the last about 4 months, trial in the case will take some time to conclude, considering his health condition, this Court deems it appropriate to release the petitioner on regular bail.

7. Accordingly, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds and sureties, one from District Patiala, to the satisfaction of concerned learned trial Court/Duty Magistrate, with the further condition that he shall furnish an affidavit to the effect that in future, he will appear on each and every date of hearing before the court and shall not hamper/delay the trial in any manner. He shall get his mobile phone registered in the trial Court for receiving messages on CIS system and shall not change his mobile phone during the pendency of the case. He shall also furnish his residential address to the trial Court as well as to the concerned police station and shall not change

his residence without intimation to the concerned police station. The trial Court may impose any other condition as it deems fit.

8. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case on the basis of material available before it.

(GURBIR SINGH)
JUDGE

August 09, 2024

sanjeev/renu rawat

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No