



CRM-M-30850 of 2024 -1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217 CRM-M-30850 of 2024
Date of decision: 12.08.2024

Gurnam Singh @ Guggu ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ravi Malhotra, Advocate, for the petitioner.

Mr. A. S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 439 of Cr.P.C.
seeking regular bail in the FIR mentioned below:-

FIR No.	Date	Police Station	Sections
47	24.02.2024	City Jagraon, District-Ludhiana Rural, Punjab.	379-B(2), 34, 411 IPC and Section 411 IPC added lateron.

2. Status report has been filed by learned State counsel, the same is taken on record.

3. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement of complainant-Chander Shekhar alleging therein that on 23.02.2024, at 03:15 p.m., he was going to market on his cycle and when he reached at Charkahriyan Wala Chowk, Jagraon, suddenly three youths riding on a Black Splender Plus Motorbike reached there. They intercepted him and while extending threat to break his legs, if he did not part with his

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mobile phone, they snatched the same from his hand and managed to flee. The complainant noted down the number of vehicle as PB 10 HM 9398. On making inquiries, he came to know the names and particulars of snatchers as Harshdeep Singh @ Guri, Gurnam Singh @ Gugu i.e. the present petitioner and Jharman Singh. On registration of FIR, investigation proceedings were initiated. The petitioner and co-accused were arrested on 24.02.2024. The snatched mobile phone and the vehicle used in the offence was recovered from them. Investigation has since been completed. The petitioner had moved an application for grant of regular bail before the Court of learned Additional Sessions Judge, Ludhiana, but the same was dismissed vide order dated 05.04.2024.

4. It is argued by learned counsel for the petitioner that petitioner is in custody since 13.06.2024. He is suffering from Extra Pulmonary Tuberculosis and having several other health issues including generalized body weakness and Dyspnea. Learned counsel further argues that the false recovery has been planted upon him. Investigation has since been completed. Trial is likely to take time. No useful purpose would be served by his further detention. Therefore, he is urged that petitioner deserves to be released on bail.

5. Learned State counsel has filed status report alongwith report of the Medical Officer, Central Jail, Ludhiana. As per the report of doctor, the petitioner is known case of Extra Pulmonary Tuberculosis with history of pleural effusion. He is also a drug addict suffering from Hepatitis-C.

Presently his general condition is stable. It is argued by learned State counsel



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that keeping in view the gravity of allegations, as levelled against him, petitioner does not deserve to be extended the benefit of bail.

6. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

7. The petitioner along the co-accused is alleged to have snatched the mobile phone of the complainant from him as on 23.02.2024 and to have escaped with the scene. Investigation has since been completed. *Challan* stands presented in the Court. The trial is likely to take time. Petitioner does not have any criminal antecedents. Though, the medical condition of the petitioner is stable at present as per report of the Medical Officer of the concerned jail, however, it has come on the record that he is not only suffering from Extra Pulmonary Tuberculosis but also Hepatitis-C besides being a case of drug addition. Keeping in view the period of his incarceration and his medical condition coupled with the fact that the trial may take time to conclude, but without meaning to make any comments on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

[MANISHA BATRA]
JUDGE

12.08.2024
anil

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |