

**CRM-M-31772-2024****1****IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH****CRM-M-31772-2024****Date of decision : September 30, 2024**

Gaganpreet Singh @ Gagan

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Ashish Pal Kaushal, Advocate, for the petitioner
Mr. Sahil R. Bakshi, AAG, Punjab

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition filed under Section 439 Cr.P.C., the petitioner prays for grant of regular bail in case FIR No. 45 dated 26.4.2024, under Sections 379-B/34 IPC, registered at Police Station Maqboolpura, District Police Commissionrate Amritsar.

2. In the instant case, the allegations as levelled by complainant Dyal Singh, are that four boys abducted him, and out of these four boys, one was wearing police uniform, and they all made him sit in a Car, and they took away his neck chain, Rs 1000/- in cash, and one Samsung mobile phone carrying Airtel SIM. They drove away the complainant, and after some time left him at Dhaba Taran Taran road, and further, during investigation, the present petitioner was arrested.

3. In asking for the relief of regular bail, learned counsel for the

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petitioner submits that the petitioner is having clean antecedents, and suffered incarceration of about 5 months as on today. He further submits that till date no witness has been examined. He also submits that the co-accused Jajj Singh, has been granted the relief of anticipatory bail by the Coordinate Bench of this Court vide order dated 13.6.2024 passed in CRM-M-29800-2024. He in addition submits that Davinder Singh, who is also co-accused, and is at co-equal pedestal of the petitioner, has been granted the relief of regular bail by the learned Additional Sessions Judge, Amritsar, vide order dated 9.8.2024.

4. On the other hand, learned State counsel filed custody certificate qua the petitioner today in Court, and the same is taken on record. The custody certificate reflects that the petitioner has suffered incarceration of 4 months 23 days as on today, and he is not involved in any other case. He also submits that no recovery has been effected from the present petitioner. He further informed that final report has already been filed before the learned trial court concerned, but the charges are yet to be framed, and there are total nine prosecution witnesses cited by the prosecution in the final report.

5. Be that as it may, without commenting upon the merits of the case, and considering the incarceration suffered by the petitioner, and the role attributed to the present petitioner, this Court deems it appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **allowed**.



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6. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.
7. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

September 30, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned ? Yes/No
Whether Reportable ? Yes/No