

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

110+211

CRM-M-38080-2023 (O&M)
Date of Decision:- 15.03.2024

GURJEET SINGH @ JEETI

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. J.S. Dadwal, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

CRM-11835-2024

For the reasons stated in the application, same is allowed.
Annexures P-3 and P-4 are taken on record subject to all just exceptions.

CRM-M-38080-2023

1. The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in the following case:-

FIR No.	Dated	Sections	Police Station
52	31.03.2023	379-B(2) and 34 of the IPC; (411 and 473 IPC added later on)	Dugri, Ludhiana

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He

submits that the recovery of gold earrings allegedly snatched by the petitioner along with his accomplice has already been effected. He further submits that the petitioner is in custody since 31.03.2023 and challan has already been presented in Court and the material witnesses viz. PW-1/Yograj and PW-2/Kamla Devi have already been examined and only the official witnesses remain to be examined. He thus prays for grant of regular bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the short reply dated 22.02.2024 has opposed the bail petition of the petitioner. However, he has not disputed the factual matrix of the case and has admitted that only the official witnesses remain to be examined.

4. Heard.

5. After considering the respective submissions and perusing the record, it transpires that the FIR was registered at the instance of the complainant that on 30.03.2023, he along with his mother was returning to his home and at about 03:30 PM a motorcycle came from behind and the accused persons approached the mother of the complainant, who at the instance of an iron rapier snatched the gold earrings of the mother of the complainant. Thereafter on 31.03.2023, the petitioner was arrested along with co-accused Jagsir Singh and the snatched gold earrings weighing 4 grams were recovered from the rear pocket of trouser worn by the petitioner. Admittedly, the challan has been presented in Court and the material witnesses stand examined and only the official witnesses remain to be examined. The conclusion of trial to ascertain the criminal liability, if any, of

the petitioner, will take sufficient long time and no purpose would be served by detaining the petitioner in custody any longer.

6. In these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stand disposed of.

(SANJIV BERRY)
JUDGE

15.03.2024
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No