



204

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-36587-2024
Date of Decision: 06.08.2024

Gurjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amit Arora, Advocate,
for the petitioner.

Mr. A.S. Pannu, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition is a second petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.27 dated 01.03.2023, under Section 379-B & 34 IPC (Section 411 IPC added later on), registered at Police Station Division-A, Amritsar, District Police Commissionerate Amritsar.
2. Learned counsel for the petitioner submitted that the petitioner is in custody from 01.03.2023, which is for 1 year and 5 months and the charges in the present case have been framed on 17.08.2023 but no prosecution witness has been examined till date. He further submitted that the allegation in the present case is with regard to snatching of one mobile phone and submitted that as per the allegation, the petitioner was the pillion rider and the other co-accused, namely, Sajjan Singh was the driver of the



motorcycle. He submitted that the aforesaid co-accused, namely, Sajan Singh has since been extended the benefit of regular bail by this Court in CRM-M-32492-2023 on 13.07.2023 vide Annexure P-1. He further submitted that although the aforesaid co-accused was not stated to be a habitual offender but the petitioner is involved in two more cases and submitted that considering the custody of the petitioner and the stage of the trial, he may also be considered for grant of regular bail.

3. On the other hand, Mr. A.S. Pannu, learned Assistant Advocate General, Punjab, submitted that it is correct that the petitioner is in custody since 01.03.2023 and the allegation is pertaining to theft of one mobile phone. He further submitted that it is also correct that the charges in the present case were framed on 17.08.2023 and till date no prosecution witness has been examined.

4. I have heard the learned counsels for the parties.

5. It is a case where the petitioner has faced incarceration for 1 year and 5 months and as per the learned counsels for the parties, the charges were framed on 17.08.2023 and till date no prosecution witness has been examined. Although the petitioner is stated to be involved in two more cases but considering the facts and circumstances of the case, the stage of the trial and also the fact that the other co-accused, who was the driver of the motorcycle, has already been extended the benefit of regular bail on 13.07.2023 vide Annexure P-1, this Court deems it fit and proper to grant bail to the petitioner.

6. Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the



CRM-M-36587-2024

-3-

satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

06.08.2024

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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