

241-1

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-38511-2023 (O&M)

Date of decision : 29.01.2024

Gurbinder Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Jashanpreet Singh, DAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.91 dated 13.05.2023, under Sections 307, 379-B, 353, 332, 341, 186 read with Section 34 of the Indian Penal Code, 1860 (*for short 'the IPC'*), registered at Police Station, City Sunam, District Sangrur.

2. Allegations are that the petitioner along with his co-accused, gave beatings to the complainant and one Sandeep Singh.

3. This Court granted interim bail to the petitioner on 20.09.2023, in the following manner:-

“Learned counsel for the petitioner contends that similarly situated co-accused, namely, Gurpyar Singh has already been extended the concession of pre arrest bail vide order dated 27.07.2023 passed by this Court in CRM-M-30450-2023.

Posted for 03.10.2023.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

4. There is no assistance on behalf of the petitioner.
5. Learned State counsel, on instructions, submits that petitioner was granted interim bail by this Court on 20.09.2023 and he is regularly appearing before learned trial Court. He further acknowledged that there is no apprehension to the prosecution witnesses or that petitioner is likely to hamper the trial, in any manner.
6. Heard learned State counsel and perused the paper book.
7. Petitioner was granted interim bail by this Court and he is regularly appearing before learned trial Court. There is no allegation that he is likely to misuse the concession of bail or hamper the proceedings in case his interim bail is made absolute; thus, sending him in custody at this stage would not serve any purpose.
8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 20.09.2023, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
9. Petitioner shall appear on each & every date and fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations may not be construed as an expression of opinion on the merits of the case.
11. It is clarified that in case there is recurrence on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.
12. Pending application(s), if any, shall also stand disposed off.

29.01.2024
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No