



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

CRM-M-50116-2023 (O&M)

Date of decision :14.05.2024

Gurjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ankush Rampal, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, 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. 130 dated 14.07.2023, under Sections 379-B, 411 read with Section 34 of Indian Penal Code 1860 (for short 'IPC'), registered at Police Station Division No. 6, District Ludhiana.

2. Aforesaid FIR has been registered on the basis of statement made by *de facto* complainant-Pankaj Kumar with the allegations that petitioner alongwith co-accused caused him injuries and snatched his Activa scooter.

3. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 21.11.2023 and in pursuance thereof, he has furnished bail/surety bonds and is regularly appearing before learned trial Court. Also contends that there is no other criminal case pending against the petitioner and he shall appear on each and every date of hearing. Further submits that there is no allegation that petitioner is likely to misuse the concession or hamper the proceedings in any manner.

4. Learned State Counsel, on instructions from quarter concerned, has acknowledged the above factual position and submits that petitioner is regularly appearing before learned trial Court. She also acknowledged that petitioner has



not misused the concession of interim bail granted by this Court on 21.11.2023 and there is no apprehension that he is likely to misuse the concession in any manner.

5. Heard learned counsel for both the sides and perused the paper book.

6. This Court, granted interim bail to the petitioner on 21.11.2023, in the following manner:-

“ Contends that petitioner is in custody since 15.07.2023. After investigation, report under Section 173 Cr.P.C. has already been presented on 13.09.2023. Also contends that there is no other criminal case pending against the petitioner.

Faced with the above, learned State counsel seeks time to have instructions in the matter.

Posted for 31.01.2024.

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

7. Learned State counsel has duly acknowledged that after passing of the aforesaid order, petitioner is regularly appearing before learned trial Court and there is no allegation that in case, interim bail is made absolute, he is likely to misuse the concession or hamper the proceedings in any manner. In such a scenario, sending the petitioner to custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 21.11.2023, 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 of hearing and to fully co-operate with 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 any misuse of concession by the petitioner, State 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.

14.05.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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