

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

Neutral Citation No. 2024:PHHC:010442
CRM-M-59066-2023
Date of Decision: January 25, 2024

Jobanpreet Singh @ Joban

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Prateek Sodhi, Advocate for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab
assisted by ASI Amrik Singh.

DEEPAK GUPTA, J.(Oral)

Status report has not been filed. Custody certificate is taken on record.

2. By way of present petition filed under Section 439 Cr.P.C., petitioner prays for his released on regular bail in case FIR No.18 dated 20.02.2023, under Sections 379-B(2) of IPC (Sections 148 and 149 IPC deleted and Section 34 IPC added later on), registered at Police Station Kathu Nangal, Amritsar.

3. As per prosecution allegations, complainant Gurpreet Singh was returning his home on a motorcycle, when he was waylaid by petitioner Jobanpreet Singh @ Joban, who was armed with *datar* and accompanied by 3-4 unidentified persons. It is alleged that petitioner gave *datar* blow on the right palm of the complainant and snatched his mobile make Samsung. The other assailants gave him beating with base ball.

4. It is contended by learned counsel for the petitioner that petitioner has been falsely implicated; that complainant of the case Gurpreet Singh has not supported the prosecution version during trial; that the petitioner is in custody for the last more than 11 months and he is

not involved in any other case except a case registered under Sections 279, 337, 338 IPC; and that the trial may take time to conclude, so he be allowed bail.

5. Although, status report has not been filed, but learned State counsel could not refute the contention that complainant of the case Gurpreet Singh has not supported the prosecution version and has not identified the petitioner to be assailants or the snatcher, as is evident from his testimony, copy of which has been placed on record as Annexure P-2.

6. As per the custody certificate, petitioner is in custody for the last 11 months and 06 days. Although, petitioner submits that he is involved in one more case pertaining to accident, but as per the custody certificate, he is not involved in any other case.

7. Having regard to the aforesaid facts and circumstances, but without commenting anything on the merits of the case, petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

January 25, 2024
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No