



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

214

CRM-M-62126-2023
Date of decision: 23.05.2024

JASKARAN SINGH ALIAS GAGGU

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Lovish Rattan, Advocate
for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. Through this petition, filed under Section 439 Cr.P.C., relief of regular bail has been sought in case FIR No.310 dated 28.11.2022, under Sections 379-B and 34 of IPC and under Sections 27/54/59 of Arms Act, registered at Police Station, Jandiala, Amritsar Rural.

2. The instant FIR has been registered on a complaint made by one Onkar Singh, alleging therein, that on 27.11.2022, he along with his friend Jaspinder Singh coming back to his house, at about 6:45 PM, on the way, he stopped the car, and came out, in order to do nature's call, and in the meantime three unknown persons came on motorcycle, out of which two persons put them under the fear of pistol, and took away his car.

3. Learned counsel for the petitioner on asking for the relief (supra), submits that the petitioner is not named in the FIR (supra). Learned counsel for the petitioner further submits that no recovery has been effected from the present petitioner. Learned counsel for the petitioner also submits that there is no legal



evidence with the prosecution to connect the present petitioner with the alleged crime. Learned counsel for the petitioner further placed reliance upon an order passed by this Court, vide order dated 09.11.2023, in CRM-M-55527-2023, titled as Gurleen Singh Vs. State of Punjab, wherein, the co-accused has been granted the relief of regular bail, and the petitioner is on the similar footing, as that of the co-accused.

4. Learned State counsel has placed on record the custody certificate issued by the Superintendent of Central Jail, Amritsar, which reveals that the petitioner has undergone incarceration of 09 months and 13 days, as on date, and he is not involved in any other criminal case. Learned State counsel further submits that the challan has already been presented in the instant matter.

5. Considering the fact that the petitioner has suffered incarceration of 09 months and 13 days, as on date, and he is not involved in any other criminal case and the trial is at an initial stage, this Court deems it fit and appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

6. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

23.05.2024
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(KULDEEP TIWARI)
JUDGE

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