

[246] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-64715-2023
Date of Decision : 09.01.2024

Gursharan Singh ...Petitioner
versus
State of PunjabRespondent

Coram : HON'BLE MR. JUSTICE DEEPAK GUPTA

Present : Mr. TPS Makkar, Advocate for the petitioner.

DEEPAK GUPTA, J. (ORAL)

[1] The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.0114 dated 23.05.2023 under Sections 379(b) (2) and 34 of IPC, 1860 and offence under Section 411 of IPC, 1860 (added later on) at Police Station Haibowal, District Police Commissionerate Ludhiana.

[2] It is contended by learned counsel for the petitioner that similarly placed co-accused Manjot Singh @ Jodha and Yogesh Kumar have already been allowed bail by this Court vide orders (Annexures P-3 & P-4).

[3] Notice of motion.

[4] Mr. Karunesh Kaushal, learned AAG, Punjab, accepts notice on behalf of the respondent-State.

[5] Custody certificate dated 08.01.2024 has been filed in Court today. The same is taken on record.

[6] Learned State Counsel does not dispute the fact that the case of the petitioner is on parity with Yogesh Kumar, co-accused, who was allowed bail by this Court vide order dated 13.10.2023 passed in

CRM-M-64715-2023

CRM-M-51041 of 2023. Another co-accused namely Manjot Singh @ Jodha was allowed bail by this Court vide order dated 09.10.2023 passed in CRM-M-40681-2023.

[7] As per allegations, on 22.05.2023, complainant Harsimran Singh son of Harjit Singh was going on his Activa at about 7.30 p.m. when a Dezire car bearing No. PB10-FV-8586 occupied by 4-5 persons came behind him. He was made/forced to stop his activa. Those persons encircled him and on the point of some sharpened edged weapon snatched Rs.3200/-and his mobile phone make OPPO. He found the snatchers at his own level to be Gursharan Singh (petitioner herein), Yogesh Kumar, Dinesh Raj @ Kaku, Manjot Singh @ Jodha and Sandeep Singh @ Bhau, who are habitual of committing snatching. It was alleged that earlier also cases regarding snatching are registered against them.

[8] Having regard to the aforesaid facts and circumstances, and the fact that the petitioner is in custody for the last 07 months and 17 days as per the custody taken on record and on the basis of parity but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

09.01.2024
'Rajneesh'