

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCRM-M-446 of 2024(O&M)
Date of Decision: 12.01.2024

Gagandeep Singh @ Gaggi

...Petitioner

Versus

State of Punjab & Anr.

...Respondents

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Raghav Soni, Advocate
For the petitioner.

Mr. J.S. Bhandari, AAG Punjab.

Mr. Shubham Mehta, Advocate
For the complainant/ respondent NO.2.

KARAMJIT SINGH, J.

1. The present petition has been filed by the petitioner seeking grant of regular bail in criminal case having FIR No. 100 dated 07.04.2023, registered under Sections 379-B(2) read with Section 34 IPC and Sections 25/27 of Arms Act at Police Station Sadar Amritsar, District Police Commissionerate, Amritsar, in which final report has been presented under Sections 379-B(2), 411, 201 and 34 IPC and Sections 25/27 of Arms Act.

2. As per the allegations, three unknown persons came on a Splendor motor cycle outside the shop of complainant at about 1:00 p.m. on 07.04.2023 and thereafter two of them came inside the shop of the complainant and one of them brandished pistol while the another was having knife and they asked the complainant to hand over the entire cash lying in the cash box and then the person armed with knife forcibly took Rs.10,000/-

from cash box and then all the three miscreants managed to escape from there. During investigation, petitioner was arrested by the police on 12.04.2023.

3. The counsel for the petitioner, *inter alia*, submits that the petitioner was falsely implicated in this case and is in custody for the last more than 09 months and nothing incriminating was recovered from the possession of the petitioner and that it will take considerable time for the trial to conclude and further the matter stands compromised between the parties and to this effect affidavit Annexure P-2 has been given by the complainant. So, prayer is made that the petitioner be released on bail.

4. The present petition is resisted by the State counsel who submits that the petitioner was involved in snatching of Rs.10,000/- from the cash box of the complainant. However, the State counsel has not disputed the fact that the petitioner is in custody since 12.04.2023. The counsel for the petitioner further submits that the trial is going on and at this stage no ground is made out to grant regular bail to the petitioner.

5. Mr. Shubham Mehta, Advocate has put in appearance on behalf of the complainant and pleaded no objection if the petitioner is granted regular bail, as the matter has been compromised between the parties.

6. Admittedly, the FIR in the present case was registered against three unknown persons who snatched Rs.10,000/- by trespassing into the shop of complainant. The petitioner is in custody for the last more than 09 months and it will take considerable time for the trial to conclude. Further, it appears that the complainant is having no objection if the petitioner is

enlarged on bail. In the given circumstances, no purpose is going to be served by detaining the petitioner in custody for any longer period.

7. In light of above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing of bail bonds and heavy surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

12.01.2024
Jiten

(KARAMJIT SINGH)
JUDGE

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