



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

**CRM-M No.1351 of 2025 (O&M)
Date of decision: 15.05.2025**

Avtar Singh @ Ghugh @ Amarjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Gagandeep Singh Simble, Advocate for the petitioner.

Mr. T.P.S. Walia, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Third petition has been filed under Section 439 of the of the Code of Criminal Procedure, 1973 (*for short 'Cr.P.C.'*) for grant of bail pending trial to the petitioner in FIR No.310 dated 31.10.2022, under Section 379-B of the Indian Penal Code, 1860 (*for short 'IPC'*) [Sections 411 & 201 of the IPC and Section 25 of the Arms Act, 1959 added later on], registered at Police Station Civil Lines, Batala, District Batala.

2025:PHHC:064740



- (2) Custody Certificate dated 14.05.2025 of the petitioner has been produced and which is taken on record. Copy thereof supplied to the opposite side. Registry to tag the same at appropriate place.
- (3) Allegations are that petitioner snatched service revolver; purse containing Rs.2000/- as well as other documents from *de facto* complainant's pocket.
- (4) Contends that petitioner is in custody since 01.11.2022; charges were framed on 15.03.2023; but out of total 12 prosecution witnesses, only 08 have been examined till date; thus, trial will take sufficient long time.
- (5) The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from the police official concerned; but he opposed the prayer on the premise that petitioner is facing various other criminal cases; hence, he does not deserve the concession of bail.
- (6) While controverting the plea raised on behalf of the State, learned Counsel for the petitioner submits that petitioner stands acquitted in all other criminal cases.
- (7) Heard learned Counsel for the parties and perused the paper-book.
- (8) It is not in dispute that petitioner is in custody since 01.11.2022; challan stands presented; charges were framed on 15.03.2023; but out of total 12 prosecution witnesses, only 08 have been examined till date; thus, trial will take sufficient long time.

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(9) In view of the above, there is no justification to prolong the incarceration of the petitioner any further.

(10) Consequently, present petition is allowed. Petitioner be admitted to bail pending trial on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(11) Petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(12) The above observations be not construed as an expression of opinion on the merits of case.

(13) It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

15th May, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>