

CRM-M-2431-2025

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2025.PHHC.021489



108

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

CRM-M-2431-2025

Date of Decision:14.02.2025

GURBAKSH SINGH

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Kushagra Mahajan, Advocate with
Mr. Deepak Mathur, Advocate and
Mr. Sanjeev Kumar Aarya, Advocate
for the petitioner.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 483 of BNSS, 2023 is for grant of regular bail to the petitioner in case having FIR No.22 dated 08.03.2024 registered for the offences punishable under Sections 307, 379-B(2), 34 IPC (Section 307 deleted and Section 379-B(2) added later on) at Police Station Division Khilchian, District Amritsar.

2. As per the allegations recorded in the FIR, complainant Sukhwinder Singh was having mobile phone of his brother-in-law Harpal Singh and he was attending one phone call and in the meanwhile four unidentified persons came in Swift Car No.PB04-S-9594 and they



snatched the mobile phone from the complainant and then fled away from there. During investigation, the present petitioner was nominated as an accused and was arrested and recovery of snatched mobile phone was effected from the car.

3. Counsel appearing on behalf of petitioner submits that the petitioner is behind bars for the last more than 11 months and is falsely implicated in the present case and that it will take time for the trial to conclude. Further co-accused Manpreet Singh and Jobanpreet Singh are already given benefit of regular bail by this Court vide separate orders and copies of the said orders are Annexure P-2 collectively. So, prayer is made that the petitioner be enlarged on bail pending trial.

4. Notice of motion.

5. Mr. Inderjeet Singh Ladher, DAG, Punjab accepts notice on behalf of the State and submits that no doubt FIR in this case was registered against unknown persons and later on the snatched mobile phone was recovered from the car along with four accused including the present petitioner and the said car was owned by grandfather of the present petitioner. However, the State counsel has not disputed the fact that petitioner is incarcerated for the last more than 11 months and on completion of investigation, challan was presented and the charges are also framed but till date no prosecution witness has been examined.

6. I have considered the submissions made by the counsel for the parties.

7. Admittedly, FIR in this case was registered against unknown persons, who snatched mobile phone from the complainant. The recoveries of the snatched mobile phone and car used in commission of crime are effected during investigation of the case. The petitioner is in custody for the last more than 11 months and it will take time for the trial to terminate. However, co-accused are already given benefit of regular bail. In the given circumstances, no gainful purpose is going to be served by keeping the petitioner in custody for any longer period.

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

14.02.2025

Priyanka Thakur

Whether speaking/reasoned

Whether reportable

(KARAMJIT SINGH)

JUDGE

Yes/No

Yes/No