



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

228

CRM-M-31588-2024 (O&M)
Date of Decision:- 04.04.2025

GURJINDER SINGH@GURI

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Monika Tanwar, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
125	07.11.2023	379-B, 34 IPC; (148, 149, 120-B IPC and 25 Arms Act added later on)	Division E, District Amritsar

2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case and is in custody since 08.11.2023. He contends that during course of trial material witnesses have not supported the case of the prosecution and turned hostile. He further contends that similarly situated co-accused Princepal

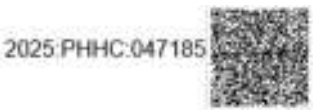


Singh @ Sidhu has been granted the concession of bail by this Court vide order dated 12.03.2025 passed in CRM-M-47312-2024. He submits that after completion of investigation, challan has been presented in Court and the conclusion of trial is likely to take considerable long time, thus, prays for grant of regular bail to the petitioner.

3. *Per contra*, learned State counsel referring to the short reply filed by the State, has opposed the petition on the ground of nature and gravity of the offence. Thus prays for dismissal of the bail petition.

4. After considering the rival contentions and perusing the record, it transpires that the instant case was registered on the complaint of Nitish Sarin to the effect that on 07.11.2023 at about 9:50 pm, while he was present in his shop, five persons armed with weapons entered the shop and by putting him under fear, had forcibly taken away cash box and his mobile phone. Subsequently, the petitioner was arrested on 08.11.2023 and after completion of investigation, challan has already been presented in Court, wherein 4 witnesses have been examined including the eye witnesses namely Baljit Singh and Amit Kumar, who have been examined as PW-1 and PW-2 and have not supported the case of the prosecution against the petitioner and were declared hostile. Admittedly, the case of the petitioner is at par with co-accused Princepal Singh @ Sidhu, who has already been granted the concession of bail by this Court. The conclusion of trial to ascertain criminal liability, if any, will take sufficient long time, as such, no purpose would be served by detaining petitioner any longer.

5. Consequently, without commenting on the merits of the case,



the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

- 6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.
- 7. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

04.04.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No