



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

244

CRM-M-55460-2024 (O&M)
Date of Decision:- 10.02.2025

GURWINDER SINGH @ KALUPetitioner(s)
Versus

STATE OF PUNJAB ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Ms. Ramandeep Kaur, Advocate for
Mr. Gurpreet Singh, Advocate for the petitioner.

Mr. Jatinder Pal Singh, Sr. DAG Punjab.

Mr. Pragbir Singh Dhindsa, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

- 1. Status report dated 07.02.2025 filed in the form of an affidavit of Deputy Superintendent of Police, Sub-Division Majitha, Amritsar (Rural) is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
- 2. Arguments heard.
- 3. The instant petition has been preferred by the petitioner under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
135	06.08.2023	379-B(2) and 34 IPC	Majitha, District Amritsar Rural

- 4. It is, *inter alia*, contended by learned counsel for the petitioner



that the petitioner is innocent and has been falsely implicated in this case. He contends that after his arrest on 16.04.2024, no recovery whatsoever has been effected from the petitioner so as to connect him with the alleged offence. He further contends that the main accused has already been granted the concession of bail by this Court vide order dated 10.04.2024 passed in CRM-M-8797-2024 (Annexure P-1). He submits that the conclusion of trial will take sufficient long time, thus prayed for grant of concession of bail to the petitioner.

5. *Per contra*, learned State counsel while referring to the short reply filed by the State has assailed these arguments and prays for dismissal of the petition on the ground of gravity of offence. He has apprised that out of 12 witnesses cited by the prosecution, none has yet been examined.

6. Heard learned counsel for the parties and perused the record.

7. After considering the rival contentions and perusing the record, it transpires that the instant case was registered on the allegations that the petitioner along with co-accused had snatched mobile phone, purse, kit and other documents from the complainant by putting him under fear on 31.07.2023. The FIR was registered on 06.08.2023 and thereafter co-accused Amritpal Singh was arrested and during his interrogation, co-accused Amritpal Singh nominated the present petitioner as accused in the FIR and accordingly, the petitioner was arrested on 16.04.2024. After the completion of investigation, challan has been presented in Court, wherein the prosecution has cited 12 witnesses but, none has been examined till date.



The conclusion of trial to ascertain the criminal liability, if any, of the petitioner, will take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

8. 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.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

10.02.2025

S.Sharma(syr)

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