

207 (2 cases)

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

**CRM-M-15522 of 2015  
Date of decision : 02.07.2015**

**Manjit Singh @ Mitha and another**

..... Petitioners

*Versus*

**State of Punjab**

... Respondent

And

**CRM-M-15668 of 2015  
Date of decision : 02.07.2015**

**Mukhtiar Singh @ Labh and Ors.**

..... Petitioners

*Versus*

**State of Punjab**

... Respondent

**CORAM:- HON'BLE MR. JUSTICE DARSHAN SINGH**

1. Whether Reporters of the local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

Present: Mr. J.S. Thind, Advocate for petitioners.

Mr. Jashanpreet Singh, AAG, Punjab.

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**DARSHAN SINGH, J (ORAL).**

This order of mine shall dispose of both the petitions referred above, which have arisen out of the same case for grant of regular bail in FIR No.15 dated 10.04.2015 under Sections 451, 328, 379, 34 of the Indian Penal Code, 1860, Police Station Civil Lines, Amritsar City.

2. As per the prosecution case, on 10.04.2015 the accused under the guise of saints came to the residence of complainant Balwinder Kaur and asked for donation. When she brought her purse containing cash and gold rings for giving donations to them, one of them made her smell handkerchief and she got unconscious. The accused fled away after stealing two gold rings weighing 7 grams and cash of Rs.4100/-. All the petitioners were arrested on 11.04.2015. Since then they are in custody.

3. Learned counsel for the petitioners pleaded that there is no evidence to show that anything intoxicant was made to inhale to the complainant. The recoveries have already been effected. The petitioners are in custody for the last more than two and a half months. They have no criminal background. So, they deserve concession of bail.

4. On the other hand, learned State counsel pleaded that the petitioners made the complainant to inhale the intoxicant and then took away the articles. So, they do not deserve the concession of bail.

5. I have duly considered the aforesaid contentions.

6. As per the status report filed today by the learned State counsel, there is no medical evidence to support the allegations that the complainant had become unconscious as a result of inhaling of some

intoxicant. The recoveries have already been effected from the petitioners. They have also been remanded to judicial custody and no longer required for the purpose of investigation. They are in custody for the last more than two and a half months. Their further detention will not serve any purpose. Mere this fact that one of the accused has been absconding is no ground to decline the bail to the present petitioners.

7. Thus, the present petitions are hereby allowed. Petitioners Manjit Singh alias Mitha, Harpreet Singh alias Heera, Mukhtiar Singh alias Labh, Amritpal alias Bholu and Gurpreet Singh alias Sonu are ordered to be released on bail on furnishing the personal/surety bonds to the satisfaction of learned Chief Judicial Magistrate, Amritsar.

**02.07.2015***sunil yadav***(DARSHAN SINGH)  
JUDGE**