

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

(220)

CRM-M-41506-2015

Decided on: December 14, 2015.

Darshan Singh and another

.... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Amandeep Singh Cheema, Advocate, for the petitioners.

Ms. Harpreet Kaur Athwal, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

Petitioners along with three other co-accused had allegedly robbed the bag of complainant Labh Kaur containing a sum of Rs.1,20,000/-.

It appears that there is no direct evidence against the petitioners except for the circumstance that recovery of Rs.50,000/- has been effected from petitioner No.1 and an iron handle has been recovered from petitioner No.2. Whether the said recoveries are sufficient enough to connect the petitioners with the crime on the basis of statement of one Natha Singh Numberdar who had named the petitioners on the basis of description disclosed by the police officials, would be debatable at trial.

On the instructions of ASI Balbir Singh, learned State counsel has informed that the challan has been presented. Charges have also been framed and the case is fixed for statement of witnesses for 15.12.2015.

Taking into consideration the nature of the allegations and material available on record, I deem it appropriate to dispose of this petition with a direction that the trial Court shall make earnest endeavour to record the statements of Labh Kaur and Natha Singh within a period of two months after 15.12.2015. Thereafter, it will be open to the trial Court to allow the application of the petitioners for bail depending upon their statements made in the Court on oath. In case said two witnesses are not examined within a period of two months or the trial Court dismisses the application, it will be open to the petitioners to approach this Court again on expiry of two months from the next date of hearing.

(M.M.S. BEDI)
JUDGE

December 14, 2015
harsha