

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-42601 of 2014

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Date of decision:14.1.2015

Jugraj Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. R.S. Thakur, Advocate for the petitioner.

Mr. S.S. Chandumajra, Deputy Advocate General, Punjab for
the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.69 dated 8.4.2013 registered for the offence under Section 394 IPC at Police Station Jandiala Guru, District Amritsar.

Notice of motion has been issued in this case.

Mr. S.S. Chandumajra, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned Deputy Advocate General, Punjab appearing for the respondent-State and have gone through the record.

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From the record, I find that as per allegations in the FIR, Charan Singh-complainant along with his grandson Jagmohan Singh were returning to his house on motorcycle. In the way, the accused-petitioner along with co-accused stopped them and asked them to hand over their belongings. 'Datar' blow was also given to Jagmohan Singh on his left elbow. Thereafter, one of the accused gave two 'Kirch' blows to the complainant, which hit on his left hip and abdomen. They looted cash amount and mobile phone and left the place giving threats.

As per prosecution case, a part of the looted amount was recovered. Challan has already been presented. Charge has already been framed. No witness has been examined.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offence and the fact that if the present petitioner is released on bail, there is every chance of tampering with the evidence or threatening to the witnesses.

Therefore, keeping in view the facts and circumstances of the present case, I do find it to be a fit case where the present petitioner is entitled to the benefit of bail. Hence, finding no merit in this petition, the same is dismissed.

However, as the petitioner is in custody since 16.12.2013, the trial Court is directed to expedite the trial.

January 14, 2015.

(Inderjit Singh)
Judge

hsp