

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

C.R.M-M No.51 of 2015

Date of Decision : 12.02.2015

Pavitar Singh and another

..... Petitioners

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. J.S. Brar, Advocate
for the petitioners.

Mr. A.P.S. Gill, A.A.G., Punjab.

1. Whether Reporters of 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?

AJAY TEWARI, J. (Oral)

The petitioners seek grant of regular bail in case FIR No.164 dated 24.09.2014 registered under Sections 420, 380, 406 IPC (Section 120-B IPC added later on) at Police Station City Muktsar, District Sri Muktsar Sahib.

As per the allegation Jagsir Singh, Mukesh Kumar and Gurcharan Singh had fraudulently withdrawn lakhs of rupees from various ATMs. On 07.10.2014 they were arrested in an earlier FIR of the similar nature i.e. in FIR No.105 dt. 24/9/14 registered at P.S. City Fajilka. The

present petitioners were alleged to be in the same car in which accused persons were present at that time.

Learned counsel for the petitioners has argued that the petitioners have nothing to do with the fraudulent withdrawal of money and they have been implicated because they happened to be at the wrong place at the wrong time.

Learned Assistant Advocate General on instructions from ASI Jarnail Singh has argued that the petitioners were making Punjabi Films and they were being financed by the aforesaid Mukesh Kumar etc. As per him the petitioners well knew that the money being given to them was tainted money.

Learned counsel for the petitioners has countered by arguing that there is no objective evidence of this fact and in any case now the petitioners have been in custody in both the FIRs for more than 4 months.

Keeping in view the aforesaid facts and the period of incarceration already suffered by the petitioners, without going into the merits of the case, I deem it appropriate to release the petitioners on regular bail to the satisfaction of the C.J.M/Duty Magistrate, Sri Muktsar Sahib.

Ordered accordingly.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

February 12, 2015

**(AJAY TEWARI)
JUDGE**

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