

Sr. No. 231

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

**CRM No. M-9321 of 2016 (O&M)
Date of Decision: 21.04.2016**

Gurdeep Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Loveneet Thakur, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.16 dated 05.02.2014 under Sections 307, 392, 394, 397, 473, 201, 34 of Indian Penal Code read with Sections 25/54/59 of Arms Act, registered at Police Station Naya Gaon, District S.A.S.Nagar, Mohali.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Subhash Chander. Complainant stated that he was running a shop in the main market Naya Gaon under the name of Shree Ram Jewellers. On 04.02.2014 when he was returning back to his residence at about 9:15 p.m., three young men on a motorcycle accosted him and under the threat of fire snatched a bag from him containing cash/valuables worth Rs.8 to 8.5 lac. Allegations were further that one out of the

assailants had even fired upon the complainant and which hit him on his right thigh.

Petitioner is sought to be implicated in the present case on the disclosure statement made by co-accused.

Petitioner was arrested on 16.10.2014.

Complainant Subhash Chander has already been examined before the trial Court as PW-1 and in his examination-in-chief he has stated that he identifies other two co-accused, namely Jagdeep Singh @ John and Harjinder Singh @ Billu but insofar as the present petitioner is concerned he has deposed that he does not identify him and that he had only been told by MHC of Police Station Naya Gaon that his name is Gurdeep Singh and he was also involved in the occurrence.

State counsel would apprise the Court that out of 13 prosecution witnesses cited only 06 have been examined till date. The trial as such would take time to conclude.

In view of the above and coupled with length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, S.A.S. Nagar, Mohali.

Disposed of.

21.04.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**