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

**CRM-M No.17741 of 2017
Date of Decision: 23.05.2017**

Harwant Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. A.S. Gulati, Advocate
for the petitioner.

Mr. P.S. Ghuman, Additional A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.18 dated 18.02.2017 registered under Sections 459, 34 IPC at Police Station Sarhali, District Tarn Taran.

Allegations are of lurking house trespass with grievous injury. The occurrence took place at about 1 AM when 3 unknown persons were found present in the house of the complainant. Two of them were having muffled faces, whereas one person was with unmuffled face. Later on, the person with unmuffled face was found to be Tarunvir Singh. The accused

had a scuffle with complainant party and they took away 4 mobile phones, 1 laptop, gold items weighing 5-6 tolas and cash amount worth Rs.25/26,000/-. Purse of the husband of the complainant was containing driving licence, Aadhaar Card, Voter Card, 2 ATM Cards and other important documents. Motorcycle Hero Honda Splendor was also taken away by the accused persons.

An extra judicial confession was statedly made by the accused persons before one Ajmer Singh, who did not produce them, rather got recorded his statement to the effect that all the three persons had come to him and requested for help. Motorcycle was recovered from Tarunvir Singh. One mobile phone and one gold chain along with Rs.5000/- were statedly recovered from the petitioner.

The identity of petitioner in the context of alleged extra judicial confession and not producing the accused in persuasion thereof and alleged recoveries would be subject to the evidentiary value at the trial. Petitioner is in custody since 22.02.2017. Challan has been presented.

In view of above, without commenting anything on the merits of the case, I deem it appropriate to grant regular bail to the petitioner on his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

May 23, 2017.
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(RAJ MOHAN SINGH)
JUDGE