

**CRM-M-33388-2017**

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

**CRM-M-33388-2017**

**Date of Decision: 16.11.2017**

Baljinder Singh @ Beeta @ Balwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Harpal Singh Sirohi, Advocate,  
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

**INDERJIT SINGH, J.**

Petitioner-Baljinder Singh @ Beeta @ Balwinder Singh has filed this 3<sup>rd</sup> petition under Section 439 read with Section 167(2) Cr.P.C. for grant of regular bail in case FIR No.102 dated 23.05.2016, registered at Police Station City South Moga, District Moga, under Section 396 of IPC, Sections 25 and 27 of the Arms Act and Sections 353, 186 and 411 of IPC, added later on.

Notice of motion has been issued in this case. Learned State counsel 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 State counsel and have gone through the record.

As regards the bail under Section 167(2) Cr.P.C, this Court has

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already passed the order dated 07.03.2017 on merit and if the petitioner is aggrieved from the said order, he can approach the higher court. This Court cannot review the order after giving the finding qua bail under Section 167 (2) Cr.P.C. Moreover, there is no change in the circumstances qua the bail under Section 167(2) Cr.P.C.

Learned counsel for the petitioner argued the bail petition under Section 439 Cr.P.C., is on merit also.

From the record, I find that as per the FIR, ₹60 lakhs from the van of the bank were looted by six-seven young persons with muffled faces and after gun-shot firing, guard-Harinder Singh, who was sitting in the van, was killed.

Keeping in view the facts and circumstances of the present case and in view of nature and gravity of the offence, I do not find it a fit case where the petitioner is entitled to the benefit of bail, as prayed.

Therefore, finding no merit in the present petition, the same is dismissed.

**16.11.2017**  
parveen kumar

**(INDERJIT SINGH)**  
**JUDGE**

|       |                           |   |     |
|-------|---------------------------|---|-----|
| Note: | Whether speaking/reasoned | : | Yes |
|       | Whether reportable        | : | No  |