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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: November 16, 2017
CRM-M-35130 of 2017

Navdeep Singh @ Lucky
.....Petitioner
Versus
State of Punjab
.....Respondent
CRM-M-41417 of 2017

Sarabjit Singh alias Sabi
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Sandeep Verma, Advocate
for the petitioner (in CRM-M-35130 of 2017).

Mr. Vikas Gupta, Advocate
for the petitioner (in CRM-M-41417 of 2017).

Mr. Ramandeep Sandhu, Sr. DAG Punjab.

A.B. CHAUDHARI, J (Oral)

By this common order, above said two petitions would be
disposed of.

Heard learned counsel for the rival parties.

Petitioners in both these petitions seek grant of regular bail in
FIR No.123 dated 16.07.2017, under Sections 379-B of Indian Penal Code,
1860, registered at Police Station Division No.8, Jalandhar.

The petitioners were not granted bail earlier since deposition
of the complainant was not recorded by the trial Court. Now learned
counsel for the petitioners have placed before me the deposition of the

complainant PW1-Jushan. Reading of the same shows that he has turned hostile and was declared accordingly, by the prosecution. He has refused to identify any of the petitioners. This Court is concerned with the present case where the main witness has turned hostile.

Learned State counsel submits that both these petitioners have record of similar type of cases of snatching that is really serious in nature, but then in the present case, there is no evidence as such as stated above.

In that view of the matter, both these petitions, i.e. CRM-M-35130 of 2017 and CRM-M-41417 of 2017 are allowed. Both the petitioners shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioners shall file undertaking before the trial Court that they will not indulge in similar or any other kind of offence in future. Petitioners shall attend the police station concerned on Monday, Wednesday and Saturday between 11:00 AM to 04:00 PM every week till the trial is completed and the police concerned shall keep surveillance on them by calling in the police station as and when required. Petitioners shall deposit their passports, if possess, with the trial Court. Petitioners shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

(A.B. CHAUDHARI)
JUDGE

November 16, 2017

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No