

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-45127 of 2016 (O&M)
Date of Decision: 13.02.2017

Rakesh Kumar

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Gulzar Mohd., Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.229 dated 30.9.2016 under sections 379-B, 323, 324, 341, 34 I.P.C., registered at Police Station, Rama Mandi, Jalandhar.

Learned counsel for the parties have been heard.

FIR came to be registered on the statement of Raghunath Parshad and who alleged that on 27.9.2016 when he was returning home from work on a bicycle, then, he was accosted by three young persons and who on the threat of a sharp edged weapon snatched Rs.2,000/- from his pocket. Further accusation is that upon his sons namely Suraj and Roshan having reached the spot, injuries were also inflicted upon them. Complainant has specifically named the three assailants to be Narinder Singh @ Koka, Gaurav Ratti and Sunny Kumar.

The name of the present petitioner did not even figure in the complainant's version.

He was arrested on 2.10.2016.

As per prosecution version, the present petitioner has been implicated on the disclosure statements of the afore-noticed three co-accused. The statements recorded of the co-accused under Section 161 Cr.P.C have also been read in Court by learned State counsel. Even as per such statements, no direct role/injury has been attributed to the present petitioner and upon the person of the complainant Raghunath Parshad or his sons Suraj and Roshan. At best such disclosure statements point towards the complicity of the present petitioner to be part of a gang and of having even on earlier occasions stolen gas cylinders.

Investigation in the case is complete and the challan already stands presented. Charges are yet to be framed. The trial, as such, would take time to conclude.

In view of the above discussion, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Jalandhar.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

13.02.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	No