

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

CRM-M-46321-2016

Date of Decision: 13.01.2017

ANGREJ SINGH

.....Petitioner

Versus

STATE OF PUNJAB

... Respondent

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

Present:Mr. Ashok Giri, Advocate
for the petitioner.

Mr. Shilesh Gupta, Addl, AG, Punjab.

RAJ MOHAN SINGH, J.(ORAL)

Petitioner seeks regular bail in FIR No.42 dated 09.06.2016 registered under Section 379-B(2) IPC at Police Station Mehta, District Amritsar Rural.

Complainant alleged that when he boarded the tractor along with his nephew Satnam Singh in the intervening night of 07/08/06.2016, at about 2:30 A.M near Chanan Palace, Khubbo, Rajputan, the accused took lift from them. When tractor was slowed down, the accused boarded the same from behind and sat on one side of the tractor. In the meanwhile, second person was seen coming from behind on a motorcycle with tied parna on his head. He stopped the motorcycle in front of the tractor. The person who took the lift attempted to throw the complainant from the tractor. The complainant and his nephew resisted the effort of the accused. In the meanwhile, the person

who came in motorcycle caught hold the complainant by neck and brought him down on the floor. The person sitting on the tractor took away the tractor towards Mehta side. The motorcyclist also fled away thereafter.

FIR was registered for the offences under Section 379-B(2) IPC and for the offences of snatching vehicle by creating wrongful restraint which is punishable with an imprisonment in a term not less than 10 years and also for fine of Rs.10,000/-.

Learned counsel for the petitioner submitted that subsequent to registration of aforesaid case, FIR No.75 dated 06.07.2016 under Sections 379/411 IPC, Police Station Bhogpur, District Jalandhar also came to be registered against the petitioner in which petitioner has been granted regular bail.

Learned State counsel on instructions from ASI Harpal Singh contended that in view of amendment in terms of offences under Section 379-A and B IPC, stringent provisions have been incorporated for such an offence and therefore, petitioner should not be enlarged on regular bail.

Evidently, petitioner is in custody since 13.09.2016. Challan has already been presented. The case appears to be debatable as no hurt was caused to the complainant as per prosecution version, nor there was any use of firearm.

Let the petitioner be enlarged on bail, subject to his

furnishing adequate bail bonds/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.

13.01.2017
prince

(RAJ MOHAN SINGH)
JUDGE

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No