

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 06.09.2018

1. CRM-M-15606-2018

Heera Singh

... Petitioner

Vs.

State of Punjab

... Respondent

2. CRM-M-17500-2018

Kuldeep Singh @ Takla

... Petitioner

Vs.

State of Punjab

... Respondent

3. CRM-M-32658-2018

Kuldip Singh @ Manak

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.S. Sidhu, Advocate
for the petitioner (in CRM-M-15606-2018).

Mr. Amit Arora, Advocate
for the petitioner (in CRM-M-17500-2018).

Mr. L.S. Mann, Advocate
for the petitioner (in CRM-M-32658-2018).

Mr. M.S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in these petitions is for grant of regular bail to petitioners Heera Singh, Kuldeep Singh @ Takla and Kuldeep Singh @ Manak in FIR No.37 dated 20.02.2018 under Sections 379-B, 341 IPC (Section 201 IPC was added later on), registered at Police Station Sadar Patti, District Tarn Taran.

Learned counsel for the petitioners submit that as per allegations in the FIR, the complainant, who is working as Field Officer in a finance company, used to provide loan to unemployed women in the villages and on 20.02.2018, the complainant along with one Pankaj Attri were coming from the various villages, after collecting the weekly installments of the loan and when they reached near a canal, 03 young persons, who had covered their faces, surrounded them and snatched the kit bag having cash and fled away. Thereafter, when the complainant and his accomplice raised voice, the villagers managed to catch hold of one person and other two persons ran away with cash and the kit bag. Later on, even the person, who was apprehended by the villagers, also managed to escape and his nick name was Manan. It is further further stated in the FIR that in Village Assal, there are 15 members and wife of one of the accused person namely Naina, is also one of the member of their company and therefore, he was known to the complainant earlier. It is also stated that name of third person was Kuldeep Singh, who was a friend of two other persons and he can recognize them.

Learned counsel for the petitioner further submits that in fact, all the four accused persons belong to the same village and there was some dispute

regarding settlement of accounts, for which they have been falsely implicated. It is further argued that on one hand, it is alleged that the accused persons were having muffled faces and in later part of the FIR, the complainant alleged that he knows all the persons by name. Learned counsel has further submitted that petitioners Kuldeep Singh @ Takla and Kuldip Singh @ Manak are in judicial custody since 05.03.2018 and petitioner Heera Singh is in judicial custody since 20.03.2018, challan has already been presented and they are not required for any custodial interrogation.

Learned State counsel, on instructions from ASI Kewal Singh, has however submitted that petitioner Heera Singh and Kuldeep Singh @ Takla are not involved in any other case but petitioner Kuldip Singh @ Manak is involved in two other cases, in which he is on bail.

Without commenting anything further on merits of the case, considering the fact that the petitioners are in judicial custody for the last about 06 months and are not required for any further custodial interrogation, these petitions are allowed and petitioners Heera Singh, Kuldeep Singh @ Takla and Kuldip Singh @ Manak are directed to be released on regular bail subject to furnishing their bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

All these three petitions stand disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

06.09.2018

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No