

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

Decided on: 10.07.2018

1. CRM-M No.15653 of 2018

Rajinder Singh @ Gurminderjit Singh @ Lucky

....Petitioner

Versus

State of Punjab

....Respondent

2. CRM-M No.15638 of 2018

Rajinder Singh @ Gurminderjit Singh @ Lucky

....Petitioner

Versus

State of Punjab

....Respondent

3. CRM-M No.10538 of 2018

Happy Thapar

....Petitioner

Versus

State of Punjab

....Respondent

4. CRM-M No.9831 of 2018

Happy Thapar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

**Present :** Mr. P.B.S. Goraya, Advocate  
for the petitioner.  
(in CRM-M Nos.15653 and 15638 of 2018)

Mr. Nippun Sharma, Advocate  
for the petitioner.  
(in CRM-M Nos.10538 and 9831 of 2018)

Mr. Sidakmeet Singh, AAG, Punjab (in all the petitions)

**ARVIND SINGH SANGWAN, J. (Oral)**

Prayer in all the afore-mentioned petitions is for grant of regular bail to the petitioners namely Rajinder Singh @ Gurminderjit Singh @ Lucky and Happy Thapar in FIR No.599 dated 08.12.2017 registered under Section 379-B of the Indian Penal Code (in short 'IPC') at Police Station Civil Lines, District Amritsar and in FIR No.238 dated 09.12.2017 registered under Sections 379-B, 411 read with Section 34 IPC at Police Station Sultanwind, District Amritsar.

Counsel for the petitioners have submitted that the first FIR No.599 dated 08.12.2017 was registered with the allegation that 02 boys have snatched the purse of the complainant carrying certain articles and cash. Later on, on the next day, the second FIR No.238 dated 09.12.2017, was registered on a secret information that 02 persons, who have committed the offence on the previous day, are going to sell the stolen articles and the petitioners in pursuance thereof were arrested. It is further submitted that all the articles have already been recovered, investigation is complete, challan has been presented in both the cases and in one case charges have been framed whereas in second FIR i.e. FIR No.238 dated 09.12.2017, charges are yet to be framed.

Counsel for the petitioners have further argued that a perusal of the both the FIRs show that, in fact, both the FIRs relates to the same offence and the petitioners are in judicial custody since 09.12.2017. It is also submitted that the petitioners are the first offenders and it will take some time in conclusion of the trial.

Counsel for the State has filed the Custody Certificates of both the petitioners and on instructions from ASI Darshan Kumar and ASI Baldev Singh, has not disputed the fact that both the FIRs have been registered in quick succession with regard to the information given to the police in respect of commission of offence and for arresting the petitioners in second FIR where the recovery was effected.

Without commenting anything on merits of the case and considering the fact that the petitioners are in judicial custody since 09.12.2017, the petitioners are not involved in any other case and conclusion of the trial is likely to take some time, these petitions are allowed and the petitioners namely Rajinder Singh @ Gurminderjit Singh @ Lucky and Happy Thapar, are directed to be released on bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail, if the petitioners are found involved misusing the concession of bail, in any manner.

**10.07.2018**

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**(ARVIND SINGH SANGWAN)**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No