

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-29883 of 2018
Date of Decision: 24.07.2018

Punjab Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. D.S. Sidhu, Advocate
for the petitioner.

Mr. Amitoj S. Dhaliwal, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.57 dated 24.04.2018 registered for offences punishable under Sections 459/120-B of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Ghall Khurd, District Ferozepur.

Heard.

As per case of prosecution, three persons intruded the house of complainant on 24.04.2018 at about 03.00 a.m. They were armed with double barrel gun, *kapa* and *gandasi* and grappled with husband of complainant and started beating him. When complainant came forward, she was also given a *kapa* blow. They looted ₹90,000/-, gold ornaments and one mobile phone from house of the complainant.

Learned counsel for the petitioner submits that petitioner was not named in the FIR. He was arrested on 09.05.2018 i.e. 15 days after the incident. He has no previous adverse antecedents and his identity is yet to

be established in this case.

Learned State counsel submits that in the occurrence, one of the accused namely, Pala Singh was *siri* of complainant. He was accompanied by petitioner and his brother-in-law Balkar Singh, who is still absconding. Complainant and her husband have seen petitioner from close proximity. The petitioner has also suffered extrajudicial confession regarding this occurrence and his involvement in the same before Jagjit Singh, prosecution witness. The matter is still under investigation and release of petitioner on bail at this stage will provide him opportunity to prevail upon prosecution witness and interfere with investigation of the case.

The petitioner has been identified in this case from testimonies of Jagjit Singh and also from his co-accused Pala Singh. The case is at initial stage. Release of petitioner at this stage will provide him opportunity to prevail upon prosecution witnesses and tamper with its evidence.

No reason is made out to extend the benefit of regular bail to petitioner at this stage. This petition has no merit and the same is dismissed.

July 24, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No