

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

**CRM-M No. 55717 of 2018
Date of Decision:-21.12.2018**

Shanker Ram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Bhanu Pratap Singh, Advocate
for the petitioner.

Mr. Nikhil Chopra, Addl. A.G., Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner Shanker Ram has filed this petition seeking regular bail in case FIR No.173 dated 29.8.2018 (Annexure P-1), under Section 379-B read with Section 411 of the Indian Penal Code, Police Station Garhshankar, Tehsil Garhshankar, District Hoshiarpur.

Initially, the FIR was registered on the basis of statement of Amar s/o Naresh Kumar and according to him, the occurrence took place on 29.8.2018 at a Petrol Pump where he was employed as salesman. He alongwith his co-employee, namely, Gurpreet Singh, who worked as Supervisor, were present on petrol pump, when at about 2.00 AM, two youngsters, with covered faces, came and with the help of weapons,

carried by them, snatched money from them.

Learned counsel for the petitioner contends that as per the version, as narrated in the FIR, only two persons had come and no injury was caused. After investigation, the complainant as well as his co-employee Gurpreet Singh s/o Manohar Lal were arrayed as accused. Learned counsel further submits that on the statement of co-accused, petitioner has been indicted and recovery of Rs.14,700/- alleged to be effected from the petitioner. He submits that the petitioner has falsely been involved in this case and there is no evidence admissible against him. He further contends that co-accused in this case, namely, Sunil Kumar alias Mohit has already been granted concession of regular bail by this Court vide order dated 20.11.2018 passed in CRM-M-50126-2018.

Learned State counsel on instructions from HC Raj Kumar opposed the bail application on the ground that Rs.14,700/- were recovered from the petitioner and the offence committed is serious in nature. The investigation in the case has been completed and challan stands filed on 14.11.2018. The petitioner is in custody since 15.9.2018.

As the investigation is complete and trial is likely to consume time, no useful purpose would be served by keeping the petitioner behind the bars.

Considering the fact that complainant/employees of the petrol pump themselves were involved in the alleged offence, therefore, without commenting anything on the merits of the case, petitioner is ordered to be released on bail, on his furnishing bail bonds and surety bonds, to the

satisfaction of Trial Court/Duty Magistrate concerned.

The petition is allowed.

December 21, 2018
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No