

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

CRM-M-343-2019

Date of decision-22.05.2019

Amar

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vishal Sharma, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab assisted by
HC Raj Kumar.

MANOJ BAJAJ, J.

Petitioner-Amar has prayed for grant of regular bail in case FIR No.173 dated 29.08.2018 under Section 379-B read with Section 411 of Indian Penal Code registered at Police Station Garshankar, Tehsil Garhshankar, District Hoshiarpur.

The FIR was registered on the basis of statement of Amar son on Naresh Kumar with the allegations that on 29.8.2018 at a Petrol Pump where he was employed as salesman, alongwith his co-employee, namely, Gurpreet Singh, who worked as Supervisor, were present on petrol pump, when at about 2.00 AM, two unknown persons with covered faces and armed with datar and chhura, came and snatched money from them. On the basis of his statement, the FIR was registered.

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 (petitioner) as well as his

co-employee Gurpreet Singh were arrayed as accused. It is further contended that his co-accused, namely, Ramandeep Singh has been granted concession of regular bail through CRM-M-55706-2018 decided on 21.12.2018. According to him, material witness has been examined.

Learned counsel for the petitioner contends that Sections 392, 182 and 120-B IPC were subsequently added at the time of filing of challan and the same are not mentioned in FIR. This fact is not disputed by learned State counsel.

On the other hand, learned State counsel assisted by HC Raj Kumar opposed the bail application. However, it is not disputed that material witnesses have been examined. The petitioner is in custody since 15.9.2018.

Considering the fact that material witnesses have been examined and the trial is likely to consume some more time, this Court is of the opinion that further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, District Hoshiarpur in FIR No.173 dated 29.08.2018 under Sections 379-B read with Section 411 IPC and Sections 392, 182 and 120-B IPC.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

22.05.2019

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No