

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

CRM-M-3426-2019 (O&M)

Date of Decision: December 05, 2019

Davinder Singh

...Petitioner

Versus

State of U.T. (Chandigarh)

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: Mr. Kamaldeep Sehra, Advocate with
Mr. D.S.Mann, Advocate and
Mr. Randhir Singh, Advocate for the petitioner.

Mr. Rajeev Anand, Addl. PP for UT Chandigarh.

HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of bail to the petitioner in case FIR No.91 dated 21.03.2018, under Sections 392 and 411 of IPC, 1860 and under Section 25 of Arms Act, 1959, registered at Police Station Sector 36, Chandigarh.

The FIR has been registered on the statement of one Rajdeep Singh, wherein, he stated that he was in the profession of running Ola taxi. On 21.03.2018, at about 3.00 a.m. he had gone to Sector 17 Bus-stand from Phase 3B, Mohali in order to drop the passengers in his car bearing No.PB-29W-2716. After dropping the passengers, he started his return journey at about 3.45 p.m. and when he reached in front of Sector 53, Gurudwara, then one Swift Dzire car had hit his vehicle from backside. The complainant alighted from his vehicle to make an enquiry from the occupants of the said car for hitting his vehicle. In the meantime, four boys alighted from the said car, out of which one boy was having tied a cloth (*Parna*) on his head and remaining three boys were clean shaven. The boy who

had a loose turban (parna) on his head was having a pistol with him and all of them snatched the keys of car while showing pistol to him and had fled away from the spot after taking the vehicle of the complainant with them. The purse of the complainant along with RC of the car, driving licence, PAN cards and ATM card were lying in the car.

Learned counsel for the petitioner states that the investigation is complete, the trial has commenced and prime witnesses i.e. the Investigating Officer and the complainant have already been examined. The petitioner is behind bars since 18.04.2018. The co-accused of the petitioner have already been released on bail.

Learned counsel for the respondent – UT Chandigarh has placed on record the custody certificate. It shows that the petitioner has been in custody for the last 01 year and 07 months.

The trial of the case may take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case, without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the Trial Court/Duty Magistrate, Chandigarh.

December 05, 2019
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(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No