

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

CRM-M-12525-2019
Date of decision:26.3.2019

Gauravdeep Singh @ Gaurav

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Vikas Arora, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.127 dated 13.09.2018 under Sections 379-B, 411 & 201 of the Indian Penal Code, Police Station Kamboj, District Amritsar.
2. The FIR was registered at the instance of Dhanwant Singh wherein it has been alleged that on 13.09.2018 he had withdrawn a amount of ₹1,00,000/- from Punjab National Bank, branch at village Pandori Waraich Adda and had given an amount of ₹60,000/- to the stones seller while he had kept the remaining amount of ₹40,000/- in his pocket. It is alleged that at about 3:30 p.m. when he had reached near his fields then two young men riding a motorcycle

came from behind and snatched the amount of ₹40,000/- from him while putting him under fear while showing 'Datar' and also took away his mobile phone which he was carrying.

3. Learned counsel for the petitioner has submitted that he is not named in the FIR and has falsely been implicated in the present case and that in any case the investigation has already concluded and the petitioner is no longer required to be confined behind bars and has thus prayed that he be granted concession of bail.
4. Opposing the petition, learned State counsel has informed that the petitioner had made an extra judicial confession before one Partap Singh admitting his guilt on 27.9.2018 and in these circumstances, he does not deserve the concession of bail. It has further been informed by learned State counsel that although charges have been framed but not even a single PW out of cited 12 PWs has been examined.
5. Having considered rival contentions addressed before this Court and bearing in mind that fact that the petitioner has been nominated as an accused on the basis of an extra judicial confession, the authenticity and admissibility of which is yet to be tested during trial and also that till date not even a single witness has been examined, although the petitioner has been behind bars since last more than 5 months, in my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and it is ordered that petitioner be

released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

26.3.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No