

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

(I)

CRM-M-18320-2019

Date of Decision:15.7.2019

SURJIT SINGH

.....Petitioners

Versus

STATE OF PUNJAB

.....Respondent

(II)

CRM-M-19555-2019

CHHINDERPAL SINGH AND ANR

....Petitioners

Versus

STATE OF PUNJAB

....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Gurpal Singh Sandhu, Advocate
for the petitioner in **CRM-M-18320-2019**.

Mr. Dhirinder Chopra, Advocate
for the petitioners in **CRM-M-19555-2019**.

Ms. Rashmi Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. This order shall dispose of the aforementioned petitions filed on behalf of Chhinderpal Singh, Janta Singh and Surjit Singh seeking regular bail in respect of FIR registered against them vide FIR

No.39 dated 14.2.2019 under Sections 342, 380, 379-B, 457, 506 and 411 IPC, Police Station City Sri Muktsar Sahib.

2. The FIR was lodged at the instance of Gurmail Singh wherein it has been alleged that he along with Tarsem Singh, Jagdish Kumar and Bikker Singh are employed in Bhai Arjan Godown, Wadhai Road, Punjab Agro Food Grainage Corporation, Sri Muktsar Sahib. It is alleged that on 14.2.2019 when they were on duty, 5-6 unknown persons entered the godown & caught hold of them and made them sit in a room. It is alleged that one of the person was carrying iron rod and another was having a sword and the remaining were carrying sticks. It is alleged that the said persons snatched mobile phones from all four of them and locked them inside the room. Later, one of them managed to slip out of the ventilator and opened the door and they found that 250 bags of wheat weighing 50 Kgs. and a cash amount of ₹13,000/- was missing. The said persons had also taken away DVR installed in the office.
3. Learned counsel for the petitioners have submitted that the petitioners have falsely been implicated in the present case and that it was after 12 days of lodging of the FIR that the complainant made a supplementary statement stating that the accused have been committing such like thefts in the area.
4. Opposing the bail applications, learned State counsel has submitted that on 27.2.2019 all the accused were arrested and some wheat

bags were also recovered from a canter. It has however been informed that although challan has been presented, but not even a single PW out of cited 33 PWs has been examined.

4. Having regard to the aforesaid position and while bearing in mind that the petitioners have been behind bars since last 4 ½ months and till date not even a single PW out of cited 33 PWs have been examined, in my opinion, no fruitful purpose would be served by further detaining the petitioners behind bars. The petition, as such, is accepted and it is ordered that petitioners be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.
5. It is clarified that this order shall ensure offences under Sections 142, 201 and 395 IPC, which came to be added later on.

(GURVINDER SINGH GILL)
JUDGE

15.7.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No