

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-21346 of 2019

DATE OF DECISION: JULY 23, 2019

ARJUN KUMAR THAPA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. H.P.S. SIDHU, ADVOCATE FOR THE PETITIONER.
MR. RAMDEEP PARTAP SINGH, DAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.273 dated 21.10.2018, registered under Sections 458, 394 IPC, Police Station City Jagraon, Ludhiana, District Ludhiana.

The FIR in the present case has been registered on 21.10.2016 on the statement of Nachhattar Singh wherein it was alleged that when he was sitting at home alongwith wife, sons, daughters-in-law and grandchildren, and his son Navjot Singh was counting the currency notes of approximately ₹2.25 lakhs, 5 persons entered his house and one of them armed with kirpan and the other 4 having muffled faces were armed with knives, snatched the same from his son and asked for more money. Out of fear, they opened the almirah and the accused took cash and gold jewellery lying there. While leaving, the accused with kirpan gave a blow on the head of the complainant. The accused also took two Activa vehicles parked in the Courtyard.

Learned counsel for the petitioner contends that neither the petitioner has not been named in the FIR nor any injury has been attributed to him. It has been further contended that challan has already been filed and charges have also been framed against the petitioner. It is also contended that the petitioner is in custody since 23.10.2018 and co-accused of the petitioner has already been granted bail by this Court on 15.1.2019.

On the other hand, learned State counsel has opposed the prayer made by the petitioner. However, on instructions from ASI Gurmeet Singh, it is not disputed the challan has been filed and charges have been framed against the petitioner.

Considering the above and the fact that the trial is likely to consume some time, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court.

The petition is allowed.

July 23, 2019
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No