

CRM-M-21651 of 2019

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

CRM-M-21651 of 2019
Date of Decision: 28.05.2019

Nirmal Singh @ Nima

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. A.P.S. Rehan, Advocate, for the petitioner.
Ms. Sudeepti Sharma, Addl. A.G., Punjab.

RAMENDRA JAIN, J. (ORAL)

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.229 dated 13.10.2018 registered under Sections 307, 353, 186, 332, 333, 427, 34 IPC (Sections 120-B, 473, 411, 201 IPC added subsequently) and Section 25 of the Arms Act, 1959 at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur.

According to the prosecution, on 13.10.2018, on receipt of wireless message about robbing of a Toyota Innova car on gun point by two persons from Toyota Agency Daburji, Amritsar, and taking towards Batala side, DSP Varinderpreet Singh proceeded towards said road and chased the robbed Innova car. Driver of the Innova car was signalled to stop the car, but instead of stopping he hit the car in the vehicle of DSP Varinderpreet Singh. As a result thereof, DSP Varinderpreet Singh received multiple grievous injuries. Vehicle also got damaged. One of the assailants armed

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associate police officials. One Jodhveer Singh was arrested, who disclosed the name of his accomplice as Gursewak Singh alias Sewak, who was also arrested. During investigation, they named the petitioner as one of their accomplice for joining them in the robberies etc.

Learned counsel for the petitioner *inter alia* contends that petitioner has falsely been implicated. He was not travelling in the said Innova car at the time of alleged incident. Petitioner is in custody since 19.10.2018. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

May 28, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No