

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

**CRM-M No. 23942 of 2019
Date of Decision:-15.07.2019**

Gurmanveer @ Gurman

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Janak Singh Bhinder, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner Gurmanveer @ Gurman has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.29 dated 16.3.2019, under Section 379-B IPC, registered at Police Station Amargarh, District Sangrur. The petitioner is in custody since the date of arrest on 22.3.2019.

The FIR was registered on the statement of complainant Amjad Khan on the allegations that on 07.3.2019, his employer Bhupesh Kumar Jain, owner of Digital Technology company sent him to install software in the computers installed in Bays Water School, Nangal. After completing the work at school when he moved towards his village Dugri on his motor-

cycle No.PB-13AU-3510 and reached near village Badla, then at about 2.00 PM, three persons riding on a motor-cycle came from the backside and asked him about the way to village Gajjan Majra and he stated about the way of Gajjan Majra without stopping the motor-cycle. In the meantime, the middle pillion rider threw chilli powder in his eyes. Thereafter, the last pillion rider pushed him and he fell down on the ground. Thereafter both the pillion riders snatched his wallet in which he was having Rs.2000/- cash, Aadhar card, ATM of Axis Bank having inscribed the password of the ATM. They also snatched his mobile phone make Samsung. In this background, FIR was registered.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and he has been indicted falsely in the case. According to him, his name is indicted on the basis of statement suffered by co-accused, namely, Sukhman Singh and Rupinder Singh @ Gaggi. According to him, the investigation of the case is complete and therefore, further custody of the petitioner may not be justified.

On the other hand, learned State counsel, who is assisted by ASI Rajinder, opposed the bail application on the ground that the petitioner is also involved in a case of similar nature. According to him, the alleged phone of the complainant was recovered from the petitioner. He has produced the recovery memo in respect of recovery of the said phone from the petitioner.

At this stage, learned counsel for the petitioner contends that the recovery memo simply mentions the make of phone and no other

particulars were given to connect it with the alleged phone of complainant as described in the FIR.

Considering the above and custody of the petitioner, this Court does not find any valid reason for further detention of the petitioner in judicial custody. Resultantly, without meaning any expression of opinion on the 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 15, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No