

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 29.01.2019

1. CRM-M-52545-2018

Mandeep Singh @ Jinder

... Petitioner

Vs.

State of Punjab

... Respondent

2. CRM-M-52839-2018

Gurwinder Singh @ Vicky

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rajan Bhargava, Advocate
for the petitioner (in CRM-M-52545-2018).

Mr. Paras Jagga, Advocate
for the petitioner (in CRM-M-52839-2018).

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in both these petitions is for grant of regular bail to petitioners Mandeep Singh @ Jinder and Gurwinder Singh @ Vicky in FIR No.44 dated 26.08.2018 under Section 379-B IPC (Section 411, 34 IPC were added later on), registered at Police Station Tallewal, District Barnala.

Learned counsel for both the petitioners submit that as per allegations in the FIR, complainant Amandeep Kaur had withdrawn an amount of Rs.1,000/- from ATM of Punjab National Bank installed in their village and

thereafter, one motorcycle came there and the motorcyclists snatched her purse carrying Rs.1,000/- and ran away with their motorcycle and later on, the complainant came to know that said motorcycle was driven by one Lakhwinder Singh @ Billa and the petitioners were pillion riders on the same. It is further submitted that both the petitioners are in custody since 27.08.2018; they are not involved in any other case; challan stands presented and it will take some time in conclusion of the trial.

Learned counsel for the petitioners have further submitted that during the investigation, no such evidence is collected by the Investigating Officer that the complainant has visited ATM installed in the village on that day or had withdrawn the amount and no official from the Punjab National Bank is cited as witness in the challan.

Learned State counsel, on instructions from ASI Gurej Singh, could not dispute the factual position.

Without commenting anything further on merits of the case, considering the submissions made by learned counsel for the petitioners, both these petitions are allowed and petitioners Mandeep Singh @ Jinder and Gurwinder Singh @ Vicky are directed to be released on regular bail subject to furnishing their bail/surety bond to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

Petitions are disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

29.01.2019

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No