

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

269

CRM-M-34180-2019 (O & M)
Date of Decision:27.08.2019

Jinda Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Verma, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.110 dated 15.07.2016, under Section 379-B IPC, registered at Police Station Dharamkot, District Moga.

The FIR has been registered on the statement of Resham Lal, who had stated that on 15.07.2016 at 11.56 am, white colour swift car came to the petrol pump to get the fuel. There were four clean shaven persons in the vehicle. Three persons came out of the said car and one of them asked to fill the tank for diesel for ₹900 and asked for the receipt for ₹1000/-. Complainant started making the receipt in his office. Above said three persons armed with sharp edged 'dah' came to the office and demanded the cash lying with him. One of them gave 'dah' blow on the left arm and forehead of the complainant. They snatched away a sum of ₹32,000/- from the complainant and a sum of ₹34,000/- from salesman Radhe Sham.

Learned counsel for the petitioner contends that the case was registered on 15.07.2016 and after that the accused were associated with the investigation. He submits that the petitioner was indicted in this case on 20.03.2019 and he is in custody since his arrest on 20.03.2019. He further submits that the recovery of the alleged cash amount already stands recovered from the co-accused Mandeep and Manjinder. He further contends that investigation in this case is complete and challan stands filed on 29.05.2019.

On the other hand, learned State counsel has opposed the bail application. According to him, petitioner was indicted on the basis of disclosure suffered by co-accused.

At this stage, learned counsel for the petitioner contends that the same may not be admissible in evidence.

Considering the above background and the fact that the trial is likely to take some time, further detention of the petitioner may not be justified. Therefore, 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 requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

27.08.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No