

Sukhman Singh

... Petitioner

v/s

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Shakti Mehta, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab assisted by
ASI Sarbjit Singh.

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MANOJ BAJAJ, J. (ORAL)

Petitioner Sukhman Singh 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 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 motorcycle 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. On these broad allegations, FIR was registered.

Learned counsel for the petitioner contends that no recovery has been effected from the petitioner. He further contends that the recovery has been effected from the co-accused, namely, Gurmanveer @ Gurman, who has been granted regular bail by this Court vide order dated 15.7.2019 in CRM-M No. 23942 of 2019.

He has also invited the attention of the Court to the regular bail granted to the co-accused Harpinder Singh @ Gaggu vide order dated 17.07.2019 by this Court in CRM-M-26199-2019 and seeks parity with him. According to him, the investigation of the case is also complete and therefore, further custody of the petitioner may not be justified.

On the other hand, learned State counsel, who is assisted by ASI Sarbjit Singh, opposed the bail application on the ground that the offence is serious in nature. However, it has not been disputed by learned State counsel that co-accused, namely, Gurmanveer @ Gurman, has been granted regular bail by this Court vide order dated 15.7.2019 in CRM-M No. 23942 of 2019 and another co-accused Harpinder Singh @ Gaggu has also been granted regular bail vide order dated 17.07.2019 by this Court in CRM-M-26199-2019.

Considering the above and custody of the petitioner as well as the fact that co-accused of the petitioner have been granted concession of regular bail by this Court vide order dated 15.7.2019 and 17.07.2019, 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.

September 16, 2019

Janki

**(MANOJ BAJAJ)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No