

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

1. **CRM-M No. 36914 of 2019**
Date of Decision:-26.09.2019

Satta

...Petitioner

Versus

State of Punjab

...Respondent

2. **CRM-M No. 34187 of 2019**

Surjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Mohit Rampal, Advocate for
Mr. Gursimran Singh Bawa, Advocate
for the petitioner(s).

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioners Satta Singh and Surjit Singh have filed these

petitions under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 136 dated 17.6.2019, under Sections 380, 457, 427, 295, 34 IPC, registered at Police Station Lopoke, District Amritsar Rural. The petitioner-Satta is in custody since his arrest on 02.07.2019 and petitioner-Surjit Singh is in custody since his arrest on 29.06.2019.

The FIR was registered on the statement of complainant Baba Joginder Singh with the allegations that he was Sewadar in Gurudwara Shahid Ganj Lopoke and on 17.6.2019 at about 3.50 a.m. when he came at Gurudwara Sahib, he saw that the bolt of outer door was in broken condition and when he went inside the Gurudwara, he found the Golak was broken. The glasses of the Parkash Room were also broken and Kirpans were missing. The amount of about Rs.1,00,000/- was missing from the Golak. On checking of CCTV footage, three unidentified persons in muffled faces were seen breaking the Golak and committing theft from Golak as well as Kirpans amounting to Rs.10,000/- and one person was watching outside. The said theft was committed in the intervening night of 16/17.6.2019 at about 1.00 am. The accused persons also caused damage to the property of Gurudwara.

Learned counsel for the petitioners contends that the offences are triable by Magistrate and petitioner-Satta is in custody since 02.07.2019 and petitioner-Surjit Singh is in custody since 29.06.2019. According to him the investigation of the case is complete and the final report stands filed. He submits that co-accused Jarnail Singh alias Jainka has already been granted concession of regular bail by learned trial Court. He further submits that further detention of the petitioners may not be necessary as the

trial is likely to take some time.

On the other hand, learned State counsel, who is assisted by ASI Gurdeep Singh, opposes the prayer for bail. However, it is not disputed that after completion of investigation, final report stands submitted before the trial Court and the offences are triable by Magistrate.

Considering the above and the fact that the offences are triable by Magistrate and trial is likely to consume some time, therefore, this Court does not find any valid reason to further detain the petitioners behind the bars. Resultantly, without meaning any expression of opinion on the merits of the case it is ordered that the petitioners be released on regular bail subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court Amritsar.

The petitions are allowed.

September 26, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No