

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

**CRM-M No. 37413 of 2019
Date of Decision:-24.09.2019**

Gursewak Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Ms. Chhavi Sharma, Advocate for
Mr. L.S. Mann, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner-Gursewak Singh has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 111 dated 28.10.2018, under Sections 458, 380 IPC (Sections 411 and 120-B IPC added later on), registered at Police Station Lohian, District Jalandhar Rural.

The FIR was lodged on the statement of Ranjit Kaur, wherein it was alleged that on the night intervening 27/28.10.2018 when she was sleeping with other family members in the house, 3-4 persons entered with muffled faces. The assailants were armed with weapons and they took away cash of Rs.25,000/- besides gold ornaments. They had caused injuries to

the mother of complainant also, who was later on taken to the hospital. On these broad allegations, the above FIR was registered.

Learned counsel for the petitioner contends that the petitioner, who was not named in the FIR, was declared proclaimed offender on 11.2.2019 and was arrested in this case on 12.7.2019. According to the counsel no recovery was effected from the petitioner and investigation qua him is almost complete. She has submitted that further custody of the petitioner may not be justified, particularly when co-accused of the petitioner has been granted concession of regular bail.

On the other hand, learned State counsel, who is assisted by ASI Bagga Singh opposed the prayer for grant of bail. However, he does not dispute this fact that co-accused of the petitioner have been granted concession of bail and the investigation is nearing its completion.

Considering the above and the fact that the trial is likely to consume 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 the requisite bail bonds and surety bonds to the satisfaction of the trial Court, Jalandhar.

The petition is allowed.

September 24, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No