

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

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**CRM-M No. 43443 of 2019 (O & M)
Date of Decision:-29.11.2019**

Arshdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Kawaljyot Singh, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner-Arshdeep Singh has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 62 dated 25.6.2018, under Section 379-B IPC and Section 25 and 27 of Arms Act, registered at Police Station Ajitwal, District Moga. The petitioner is in custody since his arrest on 21.11.2018.

Complainant Kaushal Aggarwal has got the present FIR registered with the allegations that he was doing the business of ready-made garments at Bhim Nagar Camp Market, Moga and on 25.6.2018, he alongwith his family had been returning to Moga from Ludhiana in his Breeza Car bearing registration No.HR-99-ACD(T) 8384, which was being

driven by him and his wife was sitting by his side on the passenger seat, whereas his children were sitting on the rear seat. It is further narrated that when at about 12.30 p.m., he reached on the bridge of Ajitwal, a car struck against his car from behind and when he tried to see his car after stopping the same, two unknown persons having muffled faces alighted from the said car and one of them came towards him, whereas the second came towards his wife. He further alleged that one of them pointed a pistol on him whereas the second forcibly alighted his wife from the car and he also pointed a pistol on his son Anshuman Arora and they forcibly snatched his car, one mobile phone make 6-S bearing No.99889-29298 along with his wallet.

Learned counsel for the petitioner contends that the petitioner is in custody since his arrest on 21.11.2018 and the attention of the Court is invited to the depositions of complainant (PW1) and his wife (PW2), who are the material witnesses, to contend that they have not identified the petitioner as one of the persons, who had committed the crime. He contends that the trial will take sufficient time to conclude as eight prosecution witnesses remain to be examined. He further relies upon the order dated 04.9.2019 in CRM-M-36056-2019 and order dated 26.9.2019 in CRM-M-40416-2019 passed by this Court, whereby co-accused Gurpreet Singh @ Gopi and Gursharan Preet Singh @ Shanu have already been extended the concession of regular bail.

Learned State counsel, who is assisted by ASI Rajinder Singh, opposed the prayer on the ground of seriousness of offence. However, he

does not dispute the fact that co-accused of the petitioner have been granted concession of regular bail by this Court.

After hearing learned counsel for the parties, this Court finds that the trial of the case is likely to consume considerable time and keeping in view the custodial period of the petitioner, his further custody 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, Moga.

The petition is allowed.

November 29, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No