

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48243-2019

Date of Decision: 19.11.2019

Harkrishan Singh @ Monu

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in a case FIR No.110 dated 15.07.2016, under Sections 379-B, 473 and 411 IPC, 1860, registered at Police Station Dharamkot, District Moga. He is in custody since his arrest on 03.06.2019.

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 with diesel worth ₹900/- and asked for the receipt for ₹1000/-. Complainant started making the receipt in his office, then 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 co-accused of the

petitioner, namely, Jinda Singh has already been released on regular bail vide order dated 27.08.2019 passed in CRM-M-34180-2019. He submits that the amount which was allegedly snatched from the complainant was recovered from co-accused Mandeep and Manjinder. He submits that the petitioner is in judicial custody, therefore, he is not required for the purposes of investigation.

On the other hand learned State counsel assisted by Kashmir Singh has opposed the prayer, however, it is not disputed that no recovery was effected from the petitioner. He submits that co-accused Jinda Singh has been granted the concession of regular bail.

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. 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 requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

19.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No