

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

CRM-M-13659-2020 (O&M)

Date of decision:15.6.2020

MUKUL BRAR

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Rishu Mahajan, Advocate Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual
Court)*

GURVINDER SINGH GILL, J. (ORAL)

CRM-11938-2020

Allowed as prayed for subject to all just exceptions.

Main Case

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.195 dated 31.10.2017 at Police Station Division No.3, Jalandhar under Sections 392 & 395 of Indian Penal Code.
2. The FIR was lodged at the instance of Montu Gill, wherein it has been alleged that he is running a 'Fitness and Health Club' in Jalandhar and that on 14.10.2017 he went upto Anil Kumar to collect the amount due

from him. While he was talking to aforesaid Anil Kumar, 6-7 persons, out of whom two were wearing turbans, came there. It is alleged that one of them took out a pistol and pointed the same at the complainant, while the remaining were carrying 'Kirpans' and 'Datar'. One of the said persons took an amount of ₹57,000/- from the pocket of the pants worn by the complainant and thereafter while issuing threats the said persons went towards railway road from the market side. It is further stated therein that the complainant had been trying to search for the said persons and later came to know their names as Bikramjeet Singh, Sher Singh @ Babbar, Mukal, Kishan, Sunny and Heera. It is further stated therein that he shall produce the CCTV footage wherein they are seem running through the market

3. Learned counsel for the petitioner has submitted that he has falsely been nominated as an accused in the present case and that he is stated to have been identified on the basis of some CCTV footage but during the course of investigation the CD containing CCTV footage was found to be blank. The learned counsel has further submitted that in fact one of the accused has been granted anticipatory bail by this Court vide order dated 14.1.2020 (Annexure P-3) while noticing that CCTV footage was found to be blank.
4. Opposing the petition, learned State counsel has submitted that since there are three other cases pending against the accused and he is specifically named in the FIR, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court. Keeping

in view the fact that the petitioner is alleged to have been identified on the basis of CCTV footage which was found to be recorded in the CD but the CD in question was found to be blank and while also noticing that the petitioner has been behind bars since last 11 months, further detention of the petitioner will not serve useful purpose as the conclusion of trial is likely to take some time.

6. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

15.6.2020
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No