

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

**CRM-M-15414-2020 (O&M)
Decided on : 02.07.2020**

Harnek Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. V.S. Rana, Advocate
for the petitioner(s).

Ms. Bhavna Gupta, DAG, PUnjab
assisted by ASI Sandeep Singh.

MANJARI NEHRU KAUL, J. (Oral)

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, in case FIR No. 134, dated 19.12.2019, under Sections 392, 394, 397, 399, 401, 411 of IPC and Section 25 of the Arms Act, 1959, registered at Police Station Sanaur, District Patiala (Punjab).

Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the case due to party faction and enmity in his village. He further contends that he has been in custody for 01 year and 06 months and is not involved in any other case of similar nature. There is no likelihood of the trial concluding any time in the near future, as only charges have been framed till date.

Per contra learned State counsel while vehemently opposing the submissions made by learned counsel for the petitioner, on instructions from ASI Sandeep Singh, submits that the FIR in question was registered on the basis of a

petitioner were specifically named for making preparations to commit dacoity and that all the accused were part of a gang, which had been committing robberies at a number of ATMs and indulging in extortions and snatchings as well . It was only thereafter that a raid was conducted and all the accused including the petitioner were arrested. A recovery of ₹ 3.40 lakhs along with a gas cutter, electric cutter and certain other tools were effected from a car, which was registered in the name of the petitioner.

Learned State counsel has further apprised this Court that as per her instructions, the petitioner is involved in as many as 28 other cases of similar nature. She has further submitted that the petitioner has been behind bars for just over six months and not for 01 year and 06 months, as contended by learned counsel for the petitioner.

Heard.

The allegations levelled against the petitioner *prima facie* are serious in nature. No ground for grant of concession of regular bail is made out.

Dismissed. However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 02, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*