

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16459-2019 (O&M)
Date of decision: 03.03.2020

Talwinder Singh @ Nikku

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.S. Randhawa, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.102 dated 23.05.2016 under Sections 396, 353, 186, 411, 120-B IPC and Sections 25 & 27 of Arms Act, registered at Police Station City South, Moga.

Learned counsel for the petitioner submits that as per allegations in the FIR, 6-7 unidentified persons with muffled faces stopped complainant Parveen Shahu, Chief Manager, Oriental Bank of Commerce, Bagha Purana, who was taking cash from Bank of India, Moga, amounting to Rs.60.00 lacs comprising of 500/500 rupee notes. Guard Harinder Singh was sitting on the right side seat of the car, carrying 12 bore gun and on the back seat, the complainant along with a Peon was sitting. Aforesaid 6-7 persons fired upon the Guard, which hit on his chest and face and thereafter, while breaking mirror of the Innova Car, they looted an amount of Rs.60.00 lacs and gun of the Guard.

Later on, the Guard was shifted to Civil Hospital, Moga, where he was declared brought dead.

Learned counsel for the petitioner has argued that the petitioner was, in fact, nominated in the supplementary challan presented by the police against three other accused persons. It is further argued that the petitioner has been falsely implicated in the present FIR.

A perusal of the record shows that bail application i.e. CRM-M-32505-2018, filed by Kuljinder Singh @ Kala was dismissed vide order dated 11.10.2018. Similarly, bail application i.e. CRM-M-12712-2017 filed by Baljinder Singh @ Beeta @ Balwinder Singh was also dismissed on 27.04.2017 and another petition filed by this accused i.e. CRM-M-1481-2017, praying for grant of default bail under Section 167 (2) Cr.P.C. was dismissed by this Court on 07.03.2017. One another application for bail filed by accused Kuljinder Singh @ Kala i.e. CRM-M-12339-2019 was also dismissed on 25.03.2019.

Learned State counsel, on the basis of affidavit of the Investigating Officer dated 14.01.2020, submits that the petitioner is involved in four other FIRs, detail of which is as under: -

1. *FIR No.80 dated 03.10.2016 under Sections 307, 353, 332, 186, 34 IPC, Police Station Sudhar
(convicted on 30.05.2012).*
2. *FIR No.10 dated 25.01.2016 under Sections 294, 506 IPC, Police Station Sudhar
(under trial).*
3. *FIR No.102 dated 23.05.2016 under Section 396 IPC and Section 25/54 of Arms Act, Police Station City South, Moga
(under trial).*

4. *FIR No.160 dated 07.08.2017 under Section 22 of NDPS Act and Section 25 of Arms Act, Police Station City Moga.*
(under trial).

Learned State counsel, on instructions from ASI Nirmal Singh, submits that out of total 46 prosecution witnesses, 25 PWs have already been examined.

In view of the above and considering the serious allegations against the petitioner, no ground to grant regular bail to him is made out.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

03.03.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No