

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

CRM-M-22001-2020

Date of decision: **14.08.2020**

SUNIL KUMAR @ SHEELA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Narinder S. Lucky, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, 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)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.95 dated 5.6.2018 under Sections 379-B/34 IPC (Section 201 IPC added later on) at Police Station Basti Bawa Khel, District Jalandhar.
2. The FIR was registered at the instance of Smt. Hemapuri wherein it has been alleged that on 5.6.2018 when she was returning back home on her scooty after dropping her children for tuition and when she parked her scooty in front of her house, then a motorcycle came near her and one of the boy snatched her gold chain and 'Mangal Suter' and ran away from the spot. It is further stated therein that while her gold chain fell on the ground, the locket was snatched by the said boy.

3. Learned counsel for the petitioner has submitted that he is not named in the FIR and has been falsely nominated as an accused after about 1 year of lodging of the FIR on the basis of alleged disclosure statement made by Gagandeep Singh which hardly has any evidentiary value.
4. Opposing the petition, learned State counsel has submitted that since the petitioner has specifically been named by the co-accused and also happens to be involved in one more case, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view the fact that the petitioner has been nominated on the basis of an alleged disclosure statement made by co-accused, the veracity and admissibility of which would be debatable and while noticing that the petitioner has been behind bars since last more than 1 year, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume some time. 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

14.08.2020
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**