

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-27851-2020 (O&M)

Date of Decision:- 21.9.2020

Nirmal Singh @ Nima

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. L.S.Mann, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(Proceedings conducted through video conferencing)

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.62, dated 15.6.2016, Police Station Makhu, District Ferozepur, under Section 379 IPC (Section 382 IPC and Sections 25, 54, 59 of the Arms Act added later on).
2. The FIR in question was lodged at the instance of Manpreet Singh, wherein it is alleged that on 15.6.2016 he had gone in his Innova

vehicle from Village Khiyali Wala to Darbar Sahib, Amritsar for paying obeisance and on his way back had halted for having tea at New G.K. Hotel. It is alleged that while he was having tea, four unidentified young persons out of whom two were wearing *kurta pajama* while other two were wearing pants and shirts were moving about near his vehicle. However, the complainant after having tea, found that his vehicle was missing. The complainant alleged that the aforesaid unidentified persons had stolen away his vehicle.

3. Learned counsel for the petitioner has submitted that he is not named in the FIR and has been nominated as an accused on the basis of an alleged disclosure statement stated to have been made in the year 2017 when the petitioner came to be arrested in some other case.
4. Opposing the petition, learned State counsel has submitted that the petitioner is a habitual offender and is involved in several other cases and in these circumstances the petitioner does not deserve the concession of bail. Learned State counsel has however, informed that the petitioner has been behind bars since the last more than 3 years.
5. I have considered rival submissions addressed before this Court. Keeping in view the fact that the petitioner is not specifically named in the FIR and has been nominated as an accused on the basis of his alleged disclosure statement made when he was arrested in another case and while also noticing that the petitioner has been behind bars since the last more than 3 years, further detention of the petitioner will not serve any useful purpose. 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.

September 21, 2020

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No