

206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29906-2020
Date of Decision: 01.10.2020

Jagmail Singh @ Baba

... Petitioner

v/s

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. J.S.Chahal, Advocate for the petitioner.
Mr. Rana Harjasdeep Singh, DAG Punjab.
*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*
* * *

VIVEK PURI, J. (ORAL)

The petitioner has prayed for grant of regular bail in case FIR No. 74 dated 20.4.2019 under Sections 395, 452, 455, 506 IPC and Section 25/54 of Arms Act, 1959 and Section 473 and 120-B IPC added later on registered at Police Station Sadar Samana, District Patiala.

Briefly, the FIR has been registered on the basis of the statement of Yadwinder Singh, Assistant Manager, Oriental Bank of Commerce Branch, Village Bammna alleging that on 20.4.2019 at about 1.30 P.M. four unknown persons armed with pistol came inside the Bank premises. Out of them three persons were with muffled faces. The officials were asked to assemble in the corner and they looted a sum of Rs.7,27,530/- from the counter of the Cashier. The assailants also snatched the gun along with 11 cartridges of the Guard. Two mobile phones of two officials were also taken by them.

It has been contended by learned counsel for the petitioner that there is no allegation against the petitioner with regard to robbery. The allegations against the petitioner are to the effect that after the commission of robbery he had given lift to the co-accused to facilitate their escape from

the spot. Furthermore, the version of the prosecution is to the effect that a sum of Rs.1,03,000/- came to the share of the petitioner but nothing has been recovered from him. He also states that the petitioner is a preacher and there is no other case registered against the petitioner. It has also been further stated by learned counsel for the petitioner that petitioner was declared proclaimed offender but he had surrendered of his own in the Court on 23.1.2020 and since then he is in custody. The investigation of the case is complete and challan has already been presented.

Learned State counsel, on instructions from ASI Teja Singh has not disputed the factual aspect of the matter.

In the case in hand, the allegations against the petitioner are to the effect that he has facilitated the escape of the accused who had committed the robbery. Although he was declared proclaimed offender but he has surrenderd of his own in the Court. Nothing has been recovered from the petitioner, investigation of the case is complete and challan has already been presented.

Considering the above and the fact that the conclusion of trial is likely to consume some time, further detention of the petitioner may not be justified. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

(VIVEK PURI)
JUDGE

01.10.2020

Janki

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No