

222

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.37863 of 2020 (O&M)

Decided on: 23.11.2020

Navjot Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. B.S. Sidhu, 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 to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.78 dated 30.06.2020, for offence punishable under Sections 395 of the Indian Penal Code, 1860 (in short 'IPC') and 25 of the Arms Act registered at Police Station Sadar Moga, District Moga.

Counsel for the petitioner has argued that as per the allegations in the FIR, the complainant stated that when he was present at the shop, 06 persons came in a car out of which 04 persons came to his shop and 02 remained sitting in the car. The boys who entered his shop were having covered face and only one person namely Darshan Singh @ Kala, has not covered his face and those persons snatched articles worth Rs.26,000/- from the complainant.

Counsel for the petitioner has further submitted that the petitioner is not named in the FIR and he was later on, nominated in the

CASE HEARD THROUGH VIDEO CONFERENCING

case on the basis of the disclosure statement of the co-accused Darshan Singh @ Kala. It is further submitted that the petitioner is the first offender and he is not involved in any other case.

Counsel for the State has not disputed the factual position but opposed the prayer for bail. Counsel for the State has also filed the Custody Certificate today in the Court and as per the Custody Certificate, the petitioner has undergone the custody of 04 months and 15 days. It is also submitted that the investigation is complete and challan stands presented.

Without commenting anything on merits of the case, considering the fact that challan stands presented; the petitioner is not involved in any other case; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

23.11.2020

yakub

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No