

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

CRM-M-36340-2019

Date of decision: 27.2.2020

AJAY KUMAR @ LUCKY

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

**CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL**

Present: Mr. K.S. Dadwal, Advocate  
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

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**GURVINDER SINGH GILL, J. (ORAL)**

1. The petitioner has approached this Court seeking grant of regular bail in a case registered against him vide FIR No.54 dated 29.6.2018 under Sections 397, 34 IPC & Section 25 of Arms Police Station City Banga, District SBS Nagar.
2. Mr. K.S. Dadwal, Advocate has put in appearance on behalf of the petitioner and has filed fresh power of attorney, which is taken on record.
3. The FIR was lodged at the instance of Sital Singh wherein it has been alleged that he is working on a petrol pump and that on 29.6.2018 when he was going on his scooty to deposit cash of about ₹8 lakhs in Punjab National Bank, then two young men came on motorcycle with their faces covered and stopped their motorcycle in front of his scooty. The pillion rider of the said motorcycle sat on the pillion seat of the scooty and told him to drive the scooty while telling him that he had a pistol and in case

he does not do as he says, he will be shot at. It is alleged that the complainant being scared fell down and he removed the keys of the scooty and put in his pocket and one of those two men tried to snatch his keys and one of them also fired hitting him on his left thigh. At that time one policeman was passing nearby and he tried to help him but he was also shot at although the shot missed him. Subsequently, the said two persons ran away from the spot.

4. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case on the basis of his disclosure statement stated to have been made by petitioner when he was arrested in some other case. It has further been submitted that in any case, no loss was caused to the complainant. Learned counsel has further submitted that co-accused Shama who was also nominated as an accused on the basis of disclosure statement of the petitioner has already been released on bail.
5. Opposing the petition, learned State counsel has submitted that since the petitioner has himself disclosed his involvement in the crime, no case for grant of bail is made out. It has been informed that the petitioner is involved in three other cases. The learned State counsel has however informed that the petitioner has been behind bars since last about 1 year and that till date 7 PWs out of cited 28 PWs have been examined.
6. I have considered rival submissions addressed before this Court. Keeping in view the fact that the petitioner has been behind bars since last more than one year and till date only 7 PWs out of cited 28 PWs have been examined further detention of the petitioner will not serve any useful purpose as the conclusion of trial is likely to take some time.

7. 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.
8. It is clarified that this order shall enure offences under Sections 307 & 398 IPC which are stated to have been added later on.

27.2.2020  
Gaurav Sorot

( GURVINDER SINGH GILL )  
JUDGE

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

Whether reportable?      **Yes / No**