

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

(I)

CRM-M-41992-2019 (O&M)

Date of Decision:- 29.1.2020

Gurjant Singh alias Janta

... Petitioner

Versus

State of Punjab

... Respondent

(II)

CRM-M-42154-2019 (O&M)

Vikramjit Singh @ Vicky

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vaibhav Narang, Advocate,
for the petitioner in **CRM-M-41992-2019**.

Mr. A.P.S.Sandhu, Advocate,
for the petitioner in **CRM-M-42154-2019**.

Mr. Saurav Khurana, DAG, Punjab.

GURVINDER SINGH GILL, J.

1. This order shall dispose of the above mentioned two petitions wherein petitioners Gurjant Singh alias Janta and Vikramjit Singh @ Vicky, have approached this Court seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.101, dated

7.6.2019, registered at Police Station Division B, District Police Commissionerate Amritsar, under Sections 379-B, 34 IPC (Section 379-B has been deleted and Section 392 IPC and Sections 25, 54 of Arms Act have been added).

2. The FIR in question was lodged at the instance of Harjit Kaur wherein it has been alleged that on 7.6.2019, when she was present in her house along with her handicapped son and her daughter, then two persons with muffled faces barged into her house and one of them who was armed with a pistol demanded keys of the almirah. When the complainant's son refused to hand over the keys, the said persons broke open the almirah and took the safe lying therein and decamped with cash, gold and mobile phone which was lying in the said safe and fled away on a motorcycle.
3. It is further the case of prosecution that one Harjinder Singh was arrested in the present case and who made a disclosure statement nominating the petitioners to be the persons who had entered the house of the complainant.
4. Learned counsel for the petitioners have submitted that they are not named in the FIR and are sought to be nominated as accused solely on the basis of disclosure statement allegedly made by co-accused Harjinder Singh, the veracity and admissibility of which would be debatable.
5. Opposing the petition(s), learned State counsel has submitted that since recovery of some of the stolen articles has been effected from the petitioners, no case for grant of bail is made out. It has however,

been informed that the petitioners have been behind bars since the last more than 7 months and that till date not even a single PW out of the cited 23 PWs has been examined so far.

6. Having regard to the facts and circumstances of the case and while noticing the custody period of the petitioners and also that the trial in its normal course is not likely to be concluded in near future as not even a single PW has been examined, further detention of the petitioners will not serve any useful purpose. The petitions, as such are accepted and petitioners-Gurjant Singh alias Janta and Vikramjit Singh @ Vicky are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

January 29, 2020
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No