

219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44752-2019
Date of decision-13.02.2020

Gurmeet Singh @ Mahanta

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Monty Goyal, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Gurmeet Singh @ Mahanta has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.273 dated 21.10.2018 registered under Sections 458 and 394 of Indian Penal Code, 1860 at Police Station City Jagraon, Ludhiana, District Ludhiana. The petitioner is in custody since his arrest on 23.10.2018.

The above said FIR has been registered on the statement of Nachhattar Singh son of Lachhman Singh wherein it was alleged that when complainant was sitting at home alongwith his family members and his son Navjot Singh was counting the currency notes of approximately ₹2.25 lakhs, then 5 persons entered his house. One of them was armed with kirpan and the other 4 who were having muffled faces, armed with knives. They all snatched the money from his son and asked for more money. Due to fear, family members opened the almirah and the accused took cash and gold

jewellery lying there. While leaving, the accused who was armed with kirpan gave a blow on the head of the complainant's son Navjot Singh. The accused also took two vehicles (Activa) parked in the Courtyard. On these broad allegations, FIR was registered.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case as he is not named in the FIR. It is pointed out that the complainant stands examined as a witness before the trial Court. According to him, petitioner is not involved in any other case and the investigation of the case is complete, therefore, further custody of the petitioner may not be necessary. It is prayed that the concession of regular bail be extended to him. Further reliance has been placed upon the orders dated 15.01.2019, 23.07.2019 and 21.11.2019 whereby this Court granted bail to the co-accused.

On the contrary, learned State counsel assisted by ASI Mahesh Kumar has opposed the prayer, however, it is not disputed that petitioner is not involved in any other FIR. He submits that co-accused have already been extended the concession of bail. He further states that only one prosecution witness (complainant) has been examined so far by the prosecution, out of total 12 witnesses. Learned State counsel further states that Sections 394 and 411 IPC were also added against the petitioner.

Considering the above background, custody period of the petitioner who is behind the bars since 23.10.2018, this Court is of the opinion that his further custody may not be justified as trial is likely to consume considerable time to conclude. Resultantly, without meaning 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 trial Court concerned.

13.02.2020

vanita

(MANOJ BAJAJ)
JUDGE

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