

223 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48225-2019
Date of decision-09.01.2020

Jagroop Singh @ Roopa

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. G.S.Bawa, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Jagroop Singh @ Roopa has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.45 dated 06.04.2018 registered under Sections 379-B and 427 read with Section 34 of Indian Penal Code, 1860 (Sections 379-B (2) and 473 IPC added later on) at Police Station Jandiala, District Amritsar Rural. The petitioner is in custody since his arrest on 20.04.2018.

The FIR was registered on the statement of complainant, namely, Mandeep Singh son of Sukhwinder Singh wherein it was alleged that on 05.04.2018 at about 11/11:30 P.M., he parked his car opposite Rajbir Dhaba at G.T. Road, village Bandala and after taking meal from the said Dhaba, he slept in his car and at about 2:30 A.M., two young men having Mulla fashioned beards came in a Swift car and took away his car along with his 2 mobile phones.

Learned counsel for the petitioner has placed reliance on the

orders dated 29.11.2019 and 09.12.2019 whereby co-accused of the petitioner, namely, Gurpreet Singh @ Gopi and Jagdeep Singh @ Jaggu have been extended the concession of regular bail by this Court. He states that the petitioner is not named in the FIR and the charges in the present case has been framed on 06.11.2018. He submits that the trial is likely to consume some time as no prosecution witness has been examined so far, therefore, further custody of the petitioner may not be justified.

On the other hand, learned State counsel assisted by ASI Baljinder Singh opposed the prayer. However, it is not disputed that the co-accused have already been granted the concession of bail. It is also not disputed that till date no witness has been examined by the prosecution.

Considering the above background and custody period of the petitioner who is behind the bars since 20.04.2018, this Court is of the opinion that further custody of the petitioner may not be justified. 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.

The petition is allowed.

09.01.2020

vanita

**(MANOJ BAJAJ)
JUDGE**

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No