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

**CRM-M-55393-2019
Date of decision-24.02.2020**

Mandeep Singh @ Bheelo

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Aakash Kumar Gupta, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Mandeep Singh @ Bheelo has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.110 dated 15.07.2016 registered under Sections 379-B, 411 and 473 of Indian Penal Code, 1860 at Police Station Dharamkot, District Moga. The petitioner is in custody since his arrest on 03.08.2016.

The FIR has been registered on the statement of Resham Lal, who had stated that on 15.07.2016 at 11.56 am, white colour swift car came to the petrol pump to get the fuel. There were four clean shaven persons in the vehicle. Three persons came out of the said car and one of them asked to fill the tank with diesel worth ₹900/- and asked for the receipt for ₹1000/-.

Complainant started making the receipt in his office, then above said three persons armed with sharp edged 'dah' came to the office and demanded the cash lying with him. One of them gave 'dah' blow on the left arm and forehead of the complainant. They snatched away a sum of ₹32,000/- from the complainant and a sum of ₹34,000/- from salesman Radhe Sham. On these broad allegations, FIR was registered.

Learned counsel for the petitioner contends that the investigation of the case is complete, however, trial is yet to commence as other accused are yet to be arrested. According to him, further custody of the petitioner may not be necessary particularly when the trial is not making any headway. It is pointed out that though the petitioner is involved in other cases but he is on bail in those cases. Learned counsel has further placed reliance upon orders dated 27.08.2019 and 19.11.2019 (Annexures P-2 and P-3) in respect of co-accused who have already been extended the concession of regular bail by this Court.

On the contrary, learned State counsel assisted by ASI Charanjit Singh has opposed the prayer. He has produced the custody certificate which reveals that the petitioner has already spent a period of more than three years in custody in the above FIR. It is also mentioned that in the other cases he is on bail. It is not disputed by learned State counsel that co-accused have already been granted the concession of bail.

Considering the above background; custody of the petitioner and the pace at which the trial is moving, this Court is of the opinion that

further detention of the petitioner is not 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.

(MANOJ BAJAJ)
JUDGE

24.02.2020
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No