

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

- (1)

CRM-M-2420-2021 (O&M)

Karanbir Singh @ Baba

...Petitioner

Versus

State of Punjab

...Respondent
- (2)

CRM-M-12349-2021 (O&M)

Jashandeep Singh @ Jashan

...Petitioner

Versus

State of Punjab

...Respondent
- (3)

CRM-M-13737-2021 (O&M)

Rajinderpal Singh @ Rupa

...Petitioner

Versus

State of Punjab

...Respondent
- (4)

CRM-M-12880-2021 (O&M)

Jodhbir Singh @ Jodha

...Petitioner

Versus

State of Punjab

...Respondent

**Date of decision: 30.06.2021**

**CORAM: HON'BLE MR.JUSTICE H.S. MADAAN**

Present: Mr. Vivek Sharma, Advocate for the petitioner  
in CRM-M-2420-2021.

Mr. Naveen Batra, Advocate for the petitioner  
in CRM-M-12349-2021.

Mr. B.S. Jaswal, Advocate for the petitioner  
in CRM-M-13737-2021.

Mr. A.N. Walia, Advocate for the petitioner  
in CRM-M-12880-2021.

Mr. J.S. Ghuman, DAG, Punjab.

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**H.S. MADAAN, J. (Oral)**

Case taken up through video conferencing.

By this common order, the aforementioned petitions for regular bail filed by petitioners Karanbir Singh @ Baba, Jashandeep Singh @ Jashan, Rajinderpal Singh @ Rupa and Jodhbir Singh @ Jodha , all of them being accused in FIR No.356 dated 31.10.2020, for an offence under Section 379-B IPC, registered with Police Station Beas, District Amritsar, are decided being arising out of the same FIR.

Briefly stated facts of the case as per prosecution version are that, on 31.10.2020, complainant Sukhdev Singh employed with Radiant Cash Management Company, as Cash Collector had gone taking cash of Rs.4,97,092/- for the purpose of depositing it with Canara Bank, Rayya but since it was a bank holiday, he could not deposit cash with the bank; he put it in his bag and was returning home at Village Wadala Kalan on his motorcycle; when he was just behind Wadala river and time was about 11.30 AM, two motorcycles came from behind; one having three riders with their faces covered and other having two riders, their faces were also covered; they gave a push to the motorcycle of the complainant; resultantly, it got unbalanced and complainant fell down on the road; they snatched the bag which was placed between handle of

motorcycle of the complainant and went away; the bag besides containing cash amount of Rs.4,97,092/- also had Aadhar card, bank passbook and other documents of the complainant; on matter being reported to the police, formal FIR was registered; the investigation in the case started, during the course of which, the accused were nominated in this case; from possession of Karanbir Singh @ Baba, a sum of Rs.90,000/- was recovered; from Jashandeep Singh @ Jashan, a sum of Rs.65,000/- was recovered; from Rajinderpal Singh @ Rupa, a sum of Rs.40,000/- was recovered and from Jodhbir Singh @ Jodha, a sum of Rs.82,000/- was recovered; after completion of investigation, all of them have been sent up to face trial.

They had filed applications for grant of regular bail before the Court of Sessions at Amritsar but were unsuccessful. Feeling aggrieved, they have knocked at the door of this Court, craving for grant of similar relief, which request is being opposed by learned State counsel.

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the petitioners have contended that petitioners are innocent and have not committed any offence; as a matter of fact, no recovery was effected from them and the alleged cash amount were planted upon them; during the trial, the star witness of the prosecution i.e. Sukhdev Singh-complainant has not supported the case of the prosecution and has been declared as a hostile witness; there is no other eye witness to the incident; none of the petitioners is having any past criminal record; as such, they be granted regular bail.

Though, learned State counsel has opposed the petitions vehemently but he has fairly conceded that none of the petitioners is involved in any other criminal case and that during the trial, the complainant has not supported the prosecution story and has been declared as a hostile witness.

Under the circumstances, without going into the merits of the case, considering the fact that none of the petitioners has got any past criminal record and petitioner Karanbir Singh @ Baba is in custody since 13.11.2020 and other petitioners w.e.f. 26.11.2020 and further that conclusion of the trial is likely to take considerable time, especially, for the reason that on account of outbreak of pandemic COVID-19, the functioning of the Courts at district level has been adversely affected and further the guilt of the petitioners shall be determined during the trial, I find it proper and appropriate to grant benefit of regular bail to the petitioners. Accordingly, the present petitions are allowed. The petitioners are ordered to be released on bail on their furnishing bail bonds and surety bonds to the satisfaction of trial Court/CJM/Duty Magistrate, Amritsar, subject to the following conditions:-

- (i) that they shall appear in the Court on each and every date of hearing;
- (ii) that they shall not give any threat or intimidation to the prosecution witnesses;
- (iii) that they shall not indulge in any criminal activity;
- (iv) that they shall not leave India without prior permission of the Court and shall surrender their passports, if they have got one, otherwise to furnish affidavits in that regard;

In case the petitioners violate any term and condition on which the bail has been granted to them, the prosecution would be entitled to apply for cancellation of bail.

30.06.2021  
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(H.S. MADAAN)  
JUDGE

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