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

**CRM-M No.3230 of 2021(O&M)  
Date of Decision: 28.01.2021**

**Gurwinder Singh**

**.....Petitioner**

**Vs**

**State of Punjab**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Arshdeep Singh Brar, Advocate  
for the petitioner.

Mr. Bhupender Beniwal, Asstt., AG, Punjab.  
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**RAJ MOHAN SINGH, J.(Oral)**

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.188 dated 27.11.2020 registered under Section 379-B IPC (Section 411 IPC added later on) at Police Station City Moga, District Moga.

FIR came to be registered on 27.11.2020 under Section 379-B IPC at Police Station City Moga in respect of an occurrence which took place on 28.10.2020. The allegations are that on 28.10.2020 at about 9 PM, two boys having particular nomenclature snatched amount of Rs.5500/- and Rs.45,000/-

from the pockets of the complainant along with documents viz. Aadhaar card etc. The said amount was to be given by the complainant to the owner of the company at Barnala. The accused also took away mobile phone from the dash board of the vehicle. Complainant did not inform the police and kept on searching of his own in the area of Moga for about 30 days.

As per FIR, one day, he saw black coloured tata safari in the market and on verification, he came to know that owner of the safari was Gurvinder Singh i.e. the petitioner and his friend Rajdeep Singh @ Raja always accompanies him. On that premise, he identified the accused persons to be the persons who looted him on 28.10.2020.

Learned counsel for the petitioner submitted that the alleged recovery is planted. An amount of Rs.20,000/- allegedly recovered from the petitioner, cannot be treated to be a tainted money for want of any initial and mark of identification.

Learned counsel for the petitioner has some different story in the context of alleged recovery effected from the petitioner by the police.

Owing to the delay in lodging the FIR, the complicity of the petitioner would remain debatable. Petitioner is in custody since 27.11.2020. Challan has already been presented.

In view of aforesaid facts and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

January 28, 2021  
*Prince*

**(RAJ MOHAN SINGH)**  
**JUDGE**

Whether speaking/reasoned      Yes/No

Whether reportable      Yes/No