

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-3480-2021 (O&M)
Date of Decision:-29.1.2021

Amarjeet Singh @ Gagandeep Singh ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Siwach, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
assisted by ASI Gurpal Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.192 dated 14.08.2020 at Police Station City Ratia, District Fatehabad, under Sections 395, 397 IPC as well as under Sections 25, 54, 59 of the Arms Act.
2. The FIR in question was lodged at the instance of Harish Kumar @ Happy, wherein it is alleged that on 14.08.2020, when he was returning home after closing his shop, then at about 9.30 PM, 9 persons, who were riding on three motor-cycles came from behind and stopped his scooty. It is alleged that the said persons snatched his mobile phone make 'Vivo'; his wallet containing

₹6500/- and other documents and also his gold chain forcibly and fled away from the spot.

3. It is further the case of the prosecution that on 23.08.2020, co-accused Malkiat Singh Buta @ Bhaini and Jasbir Singh @ Mammu were arrested and who suffered disclosure statements nominating Beant Singh @ Preet, Krishan @ Jas, Gagandeep @ Gaggi and Raj Kumar @ Gandasa as their accomplices. The petitioner Amarjeet Singh @ Gagandeep Singh is alleged to be armed with a wooden '*danda*'. Subsequently, the petitioner came to be arrested on 04.09.2020, when he was apprehended in connection with some other case i.e. FIR No.202 dated 22.08.2020 registered at Police Station Sadar Ratia, District Fatehabad, under Section 395 IPC.
4. Learned counsel for the petitioner has submitted that he was nowhere named in the FIR and has been nominated on the basis of disclosure statement, which would hardly carry any evidentiary value and as such, he deserves to be released on bail.
5. Opposing the petition, learned State counsel has submitted that although the petitioner is not named in the FIR, but his complicity in the entire incident is clearly evident from the fact that an amount of ₹5,000/- and one wooden '*danda*' were recovered from him. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last more than 4 months.
6. I have considered rival submissions addressed before this Court.
7. Having regard to the fact that the petitioner was nominated on the basis of disclosure statement and the fact that as on date he has been behind bars

since the last more than 4 months, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

29.1.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No