

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

211

**CRM-M-4574-2021**

Date of Decision : August 06, 2021

HARPAL SINGH @ BOBBY

.....Petitioner

***VERSUS***

STATE OF PUNJAB

.....Respondent

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present : Mr. Sandeep Kumar, Advocate for the petitioner.  
Mr. Randhir Singh Thind, DAG, Punjab.

**Through Video Conferencing**

**JASGURPREET SINGH PURI. J. (Oral)**

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.201 dated 1.8.2019 under Section 379-B IPC, Police Station City Kapurthala, District Kapurthala.

The learned counsel for the petitioner has submitted that the petitioner is in custody since 07.08.2020 and after the investigation of the case the challan has already been presented before the competent Court and even charges have already been framed. He has submitted that no recovery is to be made from the petitioner and trial would take some time in view of the present restrictive hearing in the Courts. He has further submitted that it is a case where the petitioner was falsely implicated in view of the fact that he was earlier implicated in one FIR No.245, dated 01.08.2020 which was registered at Police Station City Kapurthala, District Kapurthala and he was arrested in that case on 03.08.2020 and in that case also on the disclosure statement in which he has been granted

bail vide Annexure P-1. He has submitted that the present FIR is of 01.08.2019 and he was not named in the FIR but he has been arrested on 07.08.2020 when he was already under arrest in the aforementioned FIR No.245 and he has been implicated only because he was already arrested in other case and this was the method adopted by the police authorities especially in view of the fact that both the FIRs are of the same police station.

On the other hand, Mr. Thind, learned DAG, Punjab has submitted that it is correct that the petitioner is in custody since 07.08.2020 and the investigation of the case is already complete and the charges have already been framed. He has submitted that apart from the present FIR he is also involved in two other cases.

In view of the fact that the name of the petitioner was nominated on the basis of disclosure statement and he was not named in the FIR and he was arrested on 07.08.2020 when he was already under arrest in the other FIR and considering the fact that the trial of the case would take long time, I deem it fit and proper to grant regular bail to the petitioner.

Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with any evidence or may flee from justice.

Consequently, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present application only.

August 06, 2021  
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(JASGURPREET SINGH PURI)  
JUDGE

Whether speaking/reasoned.

:

Yes/No

Whether Reportable.

:

Yes/No