

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

216

CRM-M-5814-2021

Date of Decision:15.02.2021

GUJJAR SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Lakhwinder Singh Sidhu, Advocate,
for the petitioner.**

Mr. Sandeep Kumar, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.162 dated 20.11.2020 under Sections 379-B IPC (the offence under Section 120-B IPC was added later on), registered at Police Station Mallanwala, District Ferozepur.

The aforesaid FIR was registered on the statement made by complainant Balkar Singh. As per FIR, the complainant sold his land measuring 4 kanals and after paying various amounts to various persons, he was carrying Rs.2,00,000/- with him in a carry-bag, tied on the carrier of the motorcycle. While he was driving the motorcycle on the bank of the canal, at about 05:30 PM, two persons came on a motorcycle from the opposite side. The driver of the motorcycle was wearing turban, whereas the pillion rider was with shorn hair and had covered their faces with the handkerchiefs. They stopped the motorcycle of the complainant so as to

enquire about the way from him. In the meantime, the pillion rider snatched

his bag containing money and they(the accused) fled away from the scene of occurrence on their motorcycle towards the village.

Learned counsel for the petitioner submits that the petitioner is in custody since 21.11.2020. There is no other case against him and recovery of Rs.1,35,000/- has already been effected from the petitioner. Moreover, co-accused Mandeep Singh alias Mandeep Kumar alias Mithi has been granted regular bail by this Court vide order dated 10.02.2021 passed in ***CRM-M-5372-2021 (Mandeep Singh alias Mandeep Kumar alias Mithi Versus State of Punjab)***.

Custody certificate is taken on record.

Learned State counsel, on instructions from ASI Lakhwinder Singh, does not dispute the custody period and recovery effected from the petitioner. As per custody certificate, no other case has been pointed out against the petitioner.

Heard learned counsel for the parties.

The petitioner is in custody since 21.11.2020. No other case has been pointed out against the petitioner. The allegations against the petitioner are similar to that of co-accused-Mandeep Singh alias Mandeep Kumar alias Mithi. Trial in the case is not likely to be concluded in the near future. Taking into consideration the fact that co-accused-Mandeep Singh alias Mandeep Kumar alias Mithi has already been admitted on regular bail by this Court vide order dated 10.02.2021, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

The petitioner is directed to get his presence marked at Police Station Mallanwala, District Ferozepur, on quarterly basis, for a period of one year w.e.f. 01.03.2021, so that his activities can be monitored by the police.

February 15, 2021
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No