

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

CRM-M-8563-2021 (O&M)

Date of Decision:- 2.3.2021

Lakhwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harpinder Singh Jalal, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Sarabjit 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. 129 dated 4.9.2020 under Sections 365, 379-B, 323, 341, 506/34 IPC at Police Station Barnala, District Barnala.
2. The FIR was registered at the instance of Vineet Kumar Goyal wherein it has been alleged that on 4.9.2020 when he was going on scooty bearing registration No.PB-13-AH-1987, then a white coloured swift car came behind him in which 3 clean shaven persons

were sitting and one of them came out and sat on his scooty and who was holding a knife and who forced him to drive towards link road Dhanaula and where he was given beatings and they snatched his mobile phone and also his wallet containing ₹4,000/-, ATM card, credit card, driving license and Aadhar card and also took away key of the scooty and make good their escape in the swift car.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that he has a clean record and was in fact falsely implicated in an another case subsequently i.e. FIR No.130 dated 8.9.2020 under Sections 399, 402 IPC during the course of investigation of which it is alleged that the petitioner was arrested and he made confession regarding his involvement in the present case as well. Learned counsel has submitted that 'Challan' in any case stands presented and as such no useful purpose would be served by keeping the petitioner behind bars.
4. Opposing the petition, learned State counsel has submitted that since the petitioner has himself suffered a confession regarding his involvement in the present case, no case for grant of bail is made out. Learned State counsel has however informed that 'Challan' already stands presented. It has however, been informed that the petitioner as on date has been behind bars since the last more than 5 months.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view the fact and circumstances of the present case and the fact that the petitioner is not named in the FIR and is sought to be nominated as an accused on the basis of his own disclosure

statement, the admissibility of which would be debatable and while noticing that ‘Challan’ already stands presented, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to 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.

March 2, 2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No