

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

CRM-M-11298 of 2021
DATE OF DECISION :- September 02 , 2021

Jasvir Singh alias Jassa

...Petitioner

Versus

State of Punjab

...Respondent

CRM-M-32233 of 2021

Jasvir Singh alias Jassa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. J.S. Thakur, Advocate for the petitioners.

Mr. Arun Kaundal, DAG, Punjab.

The case has been taken up through Video Conferencing.

My this order shall dispose of two petitions for grant of regular bail bearing CRM-M-11298 of 2021 filed by two accused having similar names but different parentage i.e. by Jasvir Singh alias Jassa son of Lakhvir Singh and CRM-M-32233 of 2021 filed by Jasvir Singh alias Jassa son of Sukhdev Raj, both of them being accused in F.I.R. No. 68 dated 21.6.2020 registered with Police Station Patara, District Jalandhar rural for offences under Sections 379-B, 392, 395 IPC and 25 of the Arms Act.

Briefly stated the prosecution story is that on 21.6.2020, a police party from Police Station Patara, Jalandhar led by SI Nirmal Singh, while being on patrol and checking duty present at Lamba Pind, Jandu Singh Road Chowk Kangniwal Puli had received a secret information that Rohit Dhir @ Jharhia, Baljinder Singh @ Shama, Jasvir Singh @ Jassa son of Sukhdev Raj (present petitioner) and another Jasbir Singh @ Jassa son of Lakhvir Singh (present petitioner) had formed a gang and were indulging in dacoities/robberies in the area having illegal weapons; further more they were proclaimed offenders in a number of cases. Ruqa was sent to police station on basis of which formal F.I.R was registered; a naka was laid; one Alto Car bearing No. PB-08-DB-2646 was signaled to stop but the driver sped it away, however, it was intercepted. Two persons tried to run after leaving the Car, who were arrested. The person driving the Car disclosed his name as Rohit Dhir @ Jharhia and he was found carrying a pistol .32 bore and 6 live cartridges of the same bore. Baljinder Singh alias Shama, who was sitting on the front seat of the Car was found in possession of a country made pistol of .315 bore along with five live cartridges, Jasvir Singh @ Jassa son of Lakhvir Singh and Jasvir Singh son of Sukhdev Raj were found to be carrying a Datar each.

They were arrested in this case. After completion of investigation and other formalities challan against such accused had been filed in the Court, and the next date of hearing fixed in the trial Court, as informed by the State counsel is 8.9.2021 for the purpose of framing of charge. The petitioners had approached the Court of Sessions at Jalandhar seeking regular bail, but were unsuccessful. Petitioner Jasvir Singh alias Jassa son of Sukhdev Raj had come to this Court on earlier occasion also craving for regular bail. The first petition had been withdrawn Now the second petition for regular bail has been filed by

him, whereas Jasvir Singh @ Jassa son of Lakhvir Singh has filed first petition for regular bail. Both the petitions are being resisted by the learned State counsel.

I have heard learned counsel for the petitioners and learned State counsel besides going through the record.

Both the petitioners were arrested in this case on 21.6.2020 and were found to be carrying a 'Datar' each which had been taken into police possession. Though challan against the accused is said to have been filed but the proceedings are at trial stage, inasmuch as formal charge is yet to be framed and the next date of hearing fixed in the trial Court for that purpose is 8.9.2021. In that way conclusion of trial is likely to take considerable time, more particularly when working of the Courts has been adversely effected on account of breaking out of Covid-19 pandemic. Petitioner Jasvir Singh alias Jassa son of Sh. Sukhdev Raj is said to be involved in another criminal case bearing F.I.R No. 152 dated 10.9.2018 for offences under Sections 417, 506, 509, 120-B IPC registered with Police Station Baradari, Jalandhar but he is stated to be on bail in that case. Petitioner Jasvir Singh alias Jassa son of Lakhvir Singh is said to be involved in another criminal case bearing F.I.R No. 2 dated 8.1.2020 registered with Police Station City Nakodar, District Jalandhar for offences under Sections 307, 323, 324, 506, 148 etc. IPC. Both the petitioners are behind bars for more than one year. One of the co-accused of petitioners namely Baljinder Singh alias Shama has been granted regular bail by this Court while accepting CRM-M-34201 of 2020 vide order dated 24.2.2021 (Annexure P-2).

In view of the facts and circumstances of the case, I find that both the petitions deserves to be accepted and they are hereby allowed. The petitioners are ordered to be released on bail on their furnishing bail bonds and

surety bonds to the satisfaction of the learned trial Court/CJM/Duty Magistrate,

Find subject to the following conditions :-

- (i) they shall appear in the Court on each and every date of hearing.
- (ii) they shall not give any threat or intimidation to the prosecution witnesses.
- (iii) they shall not leave India without prior permission of the Court and shall surrender their Passports, if they have got one, otherwise to furnish affidavits in that regard.
- (iv) they shall not indulge in any criminal activity.
- (v) they shall get their presence marked in the local police station on every Saturday of the week between 11.00 A.M. to 2.00 P.M. so that an eye can be kept on their movements and they are deterred from indulging in any criminal activity.

In case the petitioners violate any term and condition on which the bail has been granted to them, the prosecution would be entitled to apply for cancellation of bail.

(H.S. MADAN)
JUDGE

September 02, 2021
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No