

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

**CRM-M-12642 of 2021**

**DATE OF DECISION :- July 07, 2021**

**Amit Singh @ Amit**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

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

**Present:-** Mr. Umesh Sharma, Advocate for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab.

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The case has been taken up through Video Conferencing.

This petition for regular bail has been filed by petitioner Amit Singh @ Amit son of Raghbir Singh, aged 23 years, resident of village Chaloopar, P.S. Bullowal, District Hoshiarpur, an accused in F.I.R. No. 133 dated 29.8.2020 registered with Police Station Sadar Hoshiarpur, District Hoshiarpur for offences under Sections 379-B, 34 IPC.

Briefly stated the facts of the case as per prosecution story are that on 7.8.2020 at about 5.30 P.M., Suman Lata a Non Resident Indian putting up in Canada after meeting her brother Sandeep Sharma was returning home on scooter make Access bearing registration No. PB-07-AJ-9459 and complainant was following that scooter on his Activa and when they were in the area near Sukhiabad Gurudwara, three young boys on CT-100 motorcycle bearing registration number PB-07-BE-5792 blue in colour came and snatched gold chain of Suman Lata.

On information being given to the police, formal F.I.R. was registered. Accused-petitioner Amit Singh @ Amit was arrested in this case on 1.9.2020. Co-accused of the present petitioner in pursuance of the disclosure statement had got the gold chain recovered from his possession. The motorcycle used in the incident was found to be in ownership of petitioner accused which was recovered from his possession. Now the case is at the stage of trial. Petitioner accused had filed an application for regular bail before the Court of Sessions at Hoshiapur, however, it was dismissed vide order dated 21.12.2020, as such he has come to this Court craving for grant of similar relief.

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

Learned counsel for the petitioner has contended that petitioner is not named in the F.I.R; during the trial, the star witness for the prosecution Sandeep Sharma complainant while appearing as PW1 has not supported the prosecution story, not saying anything incriminating against the present petitioner, and as such was declared a hostile witness. According to learned counsel for the petitioner, petitioner is not involved in any other criminal case, as such he be granted regular bail. Though learned State counsel has opposed the petition, I find that keeping in view the contentions raised by learned counsel for the petitioner and further that the conclusion of trial is likely to take some time since functioning of the Courts has been adversely effected on account of outbreak of Covid-19, guilt of the petitioner shall be determined during the trial; the petitioner is behind bars for more than 10 months and that as per the custody certificate filed by the State counsel the petitioner is not shown to be involved in any other

criminal case, therefore, I find it proper and appropriate to grant benefit of regular bail to the petitioner. Therefore, the petition deserves to be accepted and it is hereby allowed. Petitioner Amit Singh @ Amit is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Hoshiarpur subject to the following conditions :-

- (i) he shall appear in the Court on each and every date of hearing.
- (ii) he shall not give any threat or intimidation to the prosecution witnesses.
- (iii) he shall not leave India without prior permission of the Court and shall surrender his Passport, if he has got one, otherwise to furnish affidavit in that regard.
- (iv) he shall not indulge in any criminal activity.

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

**(H.S. MADAAN)**  
**JUDGE**

**July 07, 2021**  
*p.singh*

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No