

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

CRM-M-17180-2021 (O&M)

Date of Decision:- 29.4.2021

Jagdeep Singh @ Lovejit Singh @ Nishan @ Sooch Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kushagra Mahajan, Advocate, for the petitioner.

Mr. A.A.Pathak, Addl. A.G. Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.168, dated 9.7.2020, Police Station Kamboj, District Amritsar, under Sections 379-B(2), 411 and 201 IPC.
2. The FIR was lodged at the instance of Ajay Kapoor wherein it is alleged that on 8.7.2020 when he was present in his factory, then 5-6 persons who were armed with 'datars' and 'pistols' entered the factory premises and snatched his i-20 car and also a cash amount of

Rs.1500/-. The accused are also alleged to have snatched an amount of Rs.2000/- from complainant's son and also an iphone which was lying in the car.

3. Learned counsel for the petitioner has submitted that he is nowhere named in the FIR and has been nominated as an accused on the basis of disclosure statement of co-accused Gurmeet Singh which would hardly carry any evidentiary value.
4. Opposing the petition, learned State counsel has submitted that since the stolen car was recovered from co-accused Gurmeet Singh and the said Gurmeet Singh has nominated the petitioner and a '*datar*' was recovered from the petitioner, the complicity of the petitioner is clearly evident and as such he does not deserve the concession of bail. Learned State counsel has however, informed that the petitioner has been behind bars since the last more than 3 months and that challan already stands presented. It has also been informed that the petitioner is involved in one more case registered under Section 309 IPC.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the nature of allegations and the fact that the petitioner has been nominated on the basis of statement of co-accused the veracity and admissibility of which would be debatable and while also noticing that investigation is already complete and challan stands presented, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to

the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty
Magistrate concerned.

29.4.2021
Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No