

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

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Date of decision:..23.07.2021

CRM-M No. 18982 of 2021

Arshdeep Singh

.....Petitioner

Vs.

State of Haryana

.....Respondent

CRM-M No. 43432 of 2020

Satnam Singh

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.S.K.Bishnoi, Advocate
for the petitioner in CRM-M-18982 of 2021.

Mr.D.S.Virk, Advocate
for the petitioner in CRM-M-43430 of 2020

Mr.Parveen Bhadu, AAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

The cases have been taken up for hearing through
video-conferencing.

Vide this common order, CRM-M No.18982 of 2021
and CRM-M No. 43432 of 2020 are being disposed of. Since
both the cases have arisen from common FIR, therefore, the
facts are being taken from CRM-M No.18982 of 2021.

These petitions have been filed under Section 439

Cr.P.C. for grant of regular bail in case bearing FIR No.344 dated 21.09.2020 registered under Sections 25 of the Arms Act, Sections 392 IPC and 452, 34 IPC (added later on) at Police Station City Mandi Dabwali District Sirsa.

The FIR was registered at the instance of Kuldeep Kumar with the allegations that he has a mobile shop in the name and style of Sachdeva Mobile Gallery. On 21.09.2020, a white Alto car came in front of the shop. One person came out of the car and entered in the shop of the complainant and asked for mobile phone of Real Me company. The said make of mobile was not available in the shop then he asked for MI Note G Max. The said mobile was also not available in the shop, therefore, he demanded for Y20,4GB 64 GB of Vivo company. The complainant showed the mobile to that person and he after holding the same, showed him the pistol and ran away in the car. One more person was sitting in the car as a driver.

As per reply filed by way of affidavit of Kuldeep Beniwal, DSP, Dabwali, accused were apprehended on 15.10.2020. Thereafter, co-accused Satnam Singh made a disclosure statement that he along with Arshdeep Singh @ Arsh were studying in the same school and they became fast friends. Both became addict of heroine, but they had no money to purchase the same. An amount of Rs.25,000/- was given by the

family for purchase of mobile, but they purchased heroine of the said amount. Thereafter, family inquired about the mobile and that fact was disclosed by Satnam Singh to Arshdeep Singh, upon which Arshdeep Singh told him that he was having a pistol and car was with Satnam Singh, therefore, they would do something else. They had a planning while sitting near the gate of the school. According to the planning, they went to the mobile shop. Arshdeep Singh was to go in the shop and on the excuse of looking at the mobile he would snatch the same.

During investigation, it has come to fore that the car is not registered in the name of accused Satnam Singh, rather the same is registered in the name of Paramjit Kaur, who is wife of Rajinder Singh and is relative of accused Satnam Singh. On 10.09.2020, Satnam Singh demanded that car in order to go to the place of some relative. In pursuance of the disclosure statement, Arshdeep Singh got recovered one pistol and mobile Vivo Y20. The car was recovered from Satnam Singh on his disclosure statement. The pistol was found to be a toy pistol. Offences under Sections 452 and 34 IPC were added, whereas, offence under the Arms Act was deleted.

Learned counsel for the petitioner(s) with references to the custody certificates submit that the petitioners are in custody for the last more than nine months and are not involved

in any other case.

Learned State counsel has placed on record the custody certificate and also submits that the challan has been submitted on 23.11.2020, but charges have not been framed so far.

Since the recoveries have already been effected, challan has been submitted and the petitioners are not involved in any other case and in view of the situation arising out due to COVID-19 pandemic, I deem it appropriate to enlarge the petitioners on regular bail without meaning anything on merits of the case.

In view of above, these petitions are allowed. Petitioners are ordered to be released on regular bail, subject to their furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

July 23, 2021

amandeep

Whether reasoned/speaking

Whether reportable

(RAJ MOHAN SINGH)

JUDGE

Yes/No

Yes/No