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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-20178-2021
Date of Decision: 25.05.2021

Sukhjinder Singh @ Sukhu .....Petitioner

Versus

State of Punjab..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

...

(through video conferencing)

Present: Mr. Amit Sharma, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

...

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 24 dated 25.02.2021 under Sections 379-B (2), 148, 149 and 411 IPC (later on added) registered at Police Station Dugri Ludhiana.

Learned counsel submits that the petitioner is innocent and has been nominated as an accused on the basis of disclosure statement of Manvinder Singh @ Monu, who was a witness of extra judicial confession made by the accused Ravdeep Singh. Learned counsel submits that the petitioner had no role to play in the snatching of Rs.04 lakhs from the

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HDFC agent which stands reflected even from the CCTV footage obtained by the investigating agency. The learned counsel has further submitted that the petitioner has been in custody since 02.03.2021 and only challan has been presented as on date. Hence, a prayer has been made to extend the concession of bail to the petitioner as the material on the basis of which he is now being sought to be arrayed as an accused has very weak evidentiary value.

Per contra the learned State counsel, while opposing the prayer of the learned counsel for the petitioner, on instructions from ASI Balwinder Singh has conceded that the name of the petitioner did not figure in the FIR nor was his presence reflected in the CCTV footage obtained by the investigating agency during investigation and nor was he shown to have received any money out of the Rs.04 lakhs allegedly snatched from the HDFC agent i.e. the complainant. Learned State counsel has submitted that the only role attributed to the petitioner is that he helped one of the co-accused flee from the place of occurrence. Learned State counsel has further conceded that the aforementioned role was attributed to the petitioner on the basis of the disclosure statement made by a witness of extra judicial confession.

Heard.

In view of the submissions made by the learned counsel and keeping in view that the petitioner has been in custody since 02.03.2021 and no useful purpose would be served by keeping the petitioner behind bars as the trial is unlikely to conclude in the near future, I deem it a fit case to grant the concession of regular bail. The petition is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty

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Magistrate. However, it is made clear that any observation made herein shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

25.05.2021
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Note: Whether speaking/reasoned Yes / No
Whether Reportable: Yes / No

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