

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

Decided on: 10.02.2021

1. CRM-M No.16935 of 2020

Guriqbal Singh @ Gagan

....Petitioner

Versus

State of Punjab

....Respondent

2. CRM-M No.18049 of 2020 (O&M)

Satgur Dass

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. H.P.S. Ghuman, Advocate
for the petitioner (in CRM-M-16935-2020)

Mr. R.K. Dadwal, Advocate
for the petitioner (in CRM-M-18049-2020)

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in these petitions is for grant of regular bail to the petitioners namely Guriqbal Singh @ Gagan and Satgur Dass in FIR No.91 dated 04.09.2018 registered under Sections 392, 458, 323, 324, 34 of the Indian Penal Code, 1860 (in short 'IPC'), at Police Station Kotwali Nabha, District Patiala.

Counsel for the petitioners have submitted that initially the FIR was registered against 02 unknown persons with the allegations that a robbery of Rs.6.35 lacs and some gold ornaments, has been

committed by causing injuries to the complainant. Counsel for the petitioners have further submitted that both the petitioners are the first offenders and they are not involved in any other case and the petitioners are in custody for the last 02 years and 05 months. It is also submitted that the statement of the victim as well as the other witnesses has already been recorded and it will take some time in conclusion of the trial. Counsel for the petitioners have also submitted that out of 21 prosecution witnesses, only 06 PWs have been examined so far.

Lastly, it is argued that one of the co-accused of the petitioners namely Laddi Dass @ Dass Laddi, has already been granted the concession of regular bail vide order dated 27.05.2020 passed in CRM-M No.22649 of 2019.

Counsel for the State, on instructions from the Investigating Officer, has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the co-accused of the petitioner has already been released on regular bail; both the petitioners are the first offenders and are not involved in any other case; the custodial interrogation of the petitioners is not required, only 06 PWs have been examined so far and the conclusion of the trial will take some time due to COVID-19 situation, these petitions are allowed and the petitioners namely Guriqbal Singh @ Gagan and Satgur Dass, are directed to be released on bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioners, in case they are found involved in any other case or misusing the concession of bail, in any manner.

10.02.2021

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(ARVIND SINGH SANGWAN)

JUDGE

Whether speaking/reasoned

Whether reportable:

Yes/No

Yes/No