

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

CRM-M-22790-2021 (O&M)

Date of Decision:- 29.6.2021

Daljit Singh @ Kala @ Ravi

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Anil Kumar Garg, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab
assisted by ASI Surinder Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.226 dated 15.12.2020, Police Station Jodhewal, District Police Commissionerate, Ludhiana, under Section 379-B(2), 34, 201 IPC.

2. The FIR was lodged at the instance of Nitin Kumar, wherein it is alleged that on 15.12.2020 when he was proceeding towards Ahuja Hosiery where he was working, two unknown persons came on a motorcycle and asked him to handover cash and his mobile phone. It is alleged that when the complainant resisted then one of them took out an iron '*daat*' from his jacket and hit the same on complainant's head and snatched an amount of Rs.5,000/- and also a mobile phone.
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 his own disclosure statement. It has further been submitted that the falsity of the case would be evident from the fact that no injury was found on the head of the complainant, though in the FIR he has specifically alleged that he was caused an injury on his head with the help of a '*daat*'. It has further been submitted that since the petitioner has been behind bars since the last about 6 months, he deserves the concession of bail particularly when challan already stands presented.
4. Opposing the petition, learned State counsel has submitted that in view of the serious nature of allegations and the fact that the petitioner is involved in other cases as well, no case for grant of bail is made out. Learned State counsel has, however, not disputed a fact that the petitioner has been in custody since the last about 6 months and that challan already stands presented.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that no injury was found on the person of the complainant and that the petitioner has been behind bars since the last about 6 months and that conclusion of trial is likely to consume

time, the petition 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.

29.6.2021

VY/Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No