

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

CRM-M-24112-2021 (O&M)
Date of Decision:-5.7.2021

Rohit Kumar ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Ravinder 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 vide FIR No.200 dated 29.8.2016 at Police Station Rama Mandi, District Jalandhar under Sections 392, 382 of Indian Penal Code and Sections 25 and 27 of Arms Act.
2. The FIR was lodged at the instance of Naresh, wherein it is alleged that he is working as Assistant Branch Head at Manpuram Finance Limited Branch, J.K. Place Rama Mandi, Jalandhar and that their company advances loan against gold. It is alleged that on 29.8.2016 two boys came inside their branch while representing that they want to know about the schemes of the company

pertaining to advancement of loan. Subsequently, another 3-4 boys came inside and one of whom was carrying a knife while two others were carrying revolvers. It is alleged that the said boys gave beatings to the complainant and also to Ankit Gupta and after snatching keys of the safe room took out gold lying there and decamped with the same. It is further alleged that while leaving they also took the cash which was lying in the cash box.

3. Learned counsel for the petitioner has submitted that the petitioner is nowhere named in the FIR and has been nominated as an accused after about 4 years of the alleged occurrence and that too on the basis of a disclosure statement made by co-accused.
4. Opposing the petition, learned State counsel has submitted that the petitioner happens to be involved in two other cases and that it was specifically pursuant to a letter written by a co-accused to the DGP nominating the petitioner to be one of the accused that the petitioner came to be arrested. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 4 months and that challan already stands presented. Learned State counsel has informed that the trial is yet to commence as charges have not been framed so far.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case particularly that the petitioner came to be nominated as an accused after about 4 years of the occurrence and that while challan already stands presented, the trial is yet to commence necessarily indicating that sufficient time will be taken for conclusion of trial. In these circumstances, 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 regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

5.7.2021
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No