

**110+219 IN THE HIGH COURT OF PUNJAB AND HARYANA
(2 cases) AT CHANDIGARH**

1. CRM-M No.23987 of 2020 (O&M)
Date of Decision: 06.04.2021

Sukhjeet Singh @ SukhaPetitioner
Versus

State of PunjabRespondent

2. CRM No.8068 of 2021 in/and
CRM-M No.24541 of 2020 (O&M)

Gurjit Singh @ GuriPetitioner
Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. S.S. Grewal, Advocate,
for the petitioner in CRM-M No.23987 of 2020.

Mr. Narinderjit Dandiwal, Advocate for
Mr. Uday Jain, Advocate
for the petitioner in CRM-M No.24541 of 2020.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J. (ORAL)

Both the cases have been taken up for hearing
through video conferencing.

CRM No.8068 of 2021

Statements of witnesses i.e. PW1 to PW6 are taken
on record subject to all just exceptions.

Application stands disposed of.

Main Cases

Vide this common order, CRM-M No.23987 of 2020 and CRM-M No.24541 of 2020 are being decided.

Since both the aforesaid petitions have arisen from common FIR i.e. FIR No.109 dated 09.06.2020 under Section 379B IPC registered at Police Station City Moga District Moga, therefore, common facts are being noticed.

The FIR was registered on the basis of statement of Jagdish Rai with the allegations that for the last about 12 years the complainant is working as Accountant in Shah Tyres House and Battery House near Akalsar Chowk, GT Road, Moga. Amar Singh is the salesman, Gurdeep @ Ricky is the driver and Sarbjit Kaur is the helper in the said firm, who is B.Sc. qualified. She often used to do the cash work and bank account of the firm. She used to deposit daily cash in the bank. On 08.06.2020, the daily cash of the firm was Rs.1,09,000/- and the same was given to Sarbjit Kaur for depositing the same in the bank along with a cheque No.000137 of Rs.4,19,755/- of the account of the firm for RTGS purposes in the name of Amara Raja Batteries Ltd. Sarbjit Kaur put the cash and cheque in a plastic bag and left for the bank on foot for depositing the same in the bank. The complainant also followed her as he was to go to market for

some work. When Sarbjit Kaur reached in front of the Indian Bank then in the meantime two persons came from behind on a motorcycle and snatched the polythene bag having cash and ran away from the spot. The complainant noted the motorcycle number as PB29-W-3571. The matter was reported to the police and the FIR in question came to be registered.

The petitioners were found to be involved in the aforesaid occurrence. An amount of Rs.79,000/- and amount of Rs.28,000/- were recovered from the accused person.

As per status report filed by the State, during investigation of the case, statement of Sachin Kumar was recorded, who had disclosed that he is running a tea stall at Joginder Singh Chowk Moga. Gurjit Singh @ Guri and Sukhjit Singh @ Nikka are involved in the business of DJ and are regular customers of his tea stall. On 09.10.2020, said Gurjit Singh and Sukhjit Singh came to his tea stall and they disclosed that they had committed the said occurrence. On that premise, both the accused were arrested in the present case and the aforesaid recoveries have been effected from them.

On 01.03.2021, learned counsel for the petitioner(s) sought time to place on record the statements of PWs on the ground that the material witnesses have turned hostile. In

compliance of the said order, learned counsel for the petitioner (s) has placed on record statement of Jagdish Rai (PW-2) and statement of Sarabjit Kaur (PW-3).

Perusal of aforesaid statements would show that the witnesses have not remembered the number of motorcycle and they have not identified the accused persons. Accused are in custody since June, 2020. The trial of the cases may take some time in its culmination.

In view of above, without adverting to the merits of the case, I deem it appropriate to enlarge the petitioners on regular bail, subject to their furnishing adequate bail bonds and surety bonds to the satisfaction of concerned trial Court/Duty Magistrate.

Nothing observed hereinabove, shall be construed to be an expression of opinion on the merits of the case.

(RAJ MOHAN SINGH)
JUDGE

06.04.2021
sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No