

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

CRM-M-31326-2021 (O&amp;M)

Date of Decision:- 27.9.2021

Sukhjinder Singh @ Sukhwinder Singh

... Petitioner

## Versus

## State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. H.S.Batth, Advocate, for the petitioner.

Mr. H.S.Multani, AAG, Punjab.

*(Proceedings conducted through video conferencing)*

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**GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has approached this Court seeking grant of regular bail in a case registered vide FIR No.127, dated 12.5.2021, Police Station Maqboolpura, District Amritsar, under Sections 379-B(2), 353, 186, 506, 34 IPC and Section 25 of Arms Act.
2. The FIR was lodged at the instance of ASI Chattar Singh, wherein it is alleged that on 11.05.2021 at about 6:00 PM, when he alongwith other police officials were present in the area of Shree Guru Teg Bahadur Nagar, Police Station Maqboolpura, in connection with

checking, then a Verna car was signaled to stop but the driver of the car tried to speed away. The said car was chased by the police officials and was successfully intercepted. The three occupants of the car could not produce any document regarding ownership of the car and did not give any satisfactory answer. In order to take the car and three apprehended persons to the police station, the complainant sat in the car alongwith the accused, but on the way the accused manhandled him and while brandishing a pistol snatched the revolver and 5 cartridges from the complainant and threw him out of the car. It is alleged that the complainant already knew the occupants of the car as Baljinder Singh, Harjit Singh and Sukhwinder Singh.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case and that the story put forth by the prosecution is highly unlikely as it cannot be believed that when the police was able to intercept speeding car of the accused, the same police officials could not intercept it again when the complainant is alleged to have been thrown out of the car. Learned counsel has further submitted that the petitioner has clean antecedents and has now been behind bars since the last about 4½ months.
4. Opposing the petition, learned State counsel has submitted that keeping in view the manner in which the accused had committed the offence against the police officials, who were on duty and had snatched the service revolver of the complainant alongwith 5 cartridges, no case for grant of bail is made out. Learned State counsel has further informed that upon arrest of the accused, the

service revolver of the complainant alongwith 5 cartridges was recovered from the petitioner which would clearly show the complicity of the petitioner. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 4½ months and that challan already stands presented against the petitioner and that trial is yet to commence.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the petitioner has been behind bars since the last about 4½ months and challan stands presented and also that the petitioner otherwise has a clean record and the conclusion of trial is likely to consume time as trial has not even commenced so far, 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.

**27.9.2021**

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**( GURVINDER SINGH GILL )  
JUDGE**

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| Whether speaking /reasoned | Yes / No |
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| Whether Reportable | Yes / No |
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