

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 17.11.2021

1. CRM-M-35284-2021 (O&M)

Micheal

... Petitioner

Vs.

State of Punjab

... Respondent

2. CRM-M-39655-2021 (O&M)

Gobinda

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Piyush Sharma, Advocate
for the petitioner (in both cases).

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in both these petitions is for grant of regular bail in FIR
No.131 dated 15.08.2020 under Section 379-B IPC and Section 411 IPC (added

later on), registered at Police Station Mallanwala, District Ferozepur.

It is pertinent to mention here that CRM-M-35284-2021, filed by petitioner Micheal, is second petition, as earlier one was dismissed on merits vide order dated 05.04.2021 and new ground is that the petitioner is in custody for the last 01 year and 02 months and till date, no prosecution witness has been examined.

Learned counsel for the petitioners submits that as per allegations in the FIR, registered at the instance of Jajbir Singh, on 14.08.2020, after parking tractor-trolley with Jagraj Singh, he was going to his house on his motorcycle. When he arrived near a canal bridge, two motorcycles came from the backside. Two young persons were riding on first motorcycle and three were riding on another motorcycle and they were having muffled faces. By showing the firearm, they took away his wallet having Rs.430/-, Aadhar Card, PAN card and his motorcycle. It is further submitted that petitioner Micheal is in custody for the last 01 year, 02 months and 26 days and is involved in one more case, in which he is on production warrant and petitioner Gobinda is not involved in any other case and later on, he was declared proclaimed offender and arrested on 19.02.2021 and since then, he is in custody.

Learned State counsel, on the basis of custody certificate, filed in the Court today, has submitted that after arrest of the petitioners, two more persons were arrested and six motorcycles were recovered.

After hearing learned counsel for the parties, without commenting anything further on merits of the case and considering the fact that both the petitioners are in long custody and the trial has not commenced so far and no

prosecution witness has been examined, both these petitions are allowed and the petitioners are directed to be released on regular bail subject to furnishing their bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petitions stand disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

17.11.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No