

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

CRM-M-42101-2020 (O&M)
Date of Decision:- 12.2.2021

Avtar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Tarun Vir Singh Lehal, Advocate, for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No. FIR No.23 dated 28.6.2018 under Sections 392, 395, 398 IPC and Section 25 of Arms Act, Police Station Sadar, District Pathankot.
2. The FIR was lodged at the instance of Manager Punjab National Bank village Narot Mehra, wherein he has alleged that on 28.6.2018

while he was present in the bank along with other officials, four youths who had covered their faces with cloth and were wearing helmets entered into bank premises and one of them while pointing pistol towards him forced him to open the lock of the cash room. It is alleged that another boy who was carrying a 'Datar' broke the lock and glass of cabin and removed ₹93,240/-. It is further alleged that accused also took coins worth ₹59,174/- and while leaving also took the mobile phone of the petitioner and also cash amount of ₹4,000/- along with his driving licence, I-card etc.

3. Learned counsel for the petitioner has submitted that he is not named in the FIR and has been nominated as an accused on the basis of some secret information and that there is no credible evidence to connect them with the alleged occurrence.
4. Opposing the petition, learned State counsel has submitted that the petitioner happens to be involved in 3 other cases and as such does not deserve the concession of bail. It has however, been informed that no recovery whatsoever was ever effected from him and that the petitioner as on date has been behind bars since the last about 1 year, 11 months and 19 days and that as on date only 2 PWs out of the cited 13 PWs has been examined.
5. Having regard to the aforestated factual position wherein this Court finds that the petitioner has been behind bars since the last about 2 years and conclusion of trial is likely to consume time and while also noticing that other identically situated co-accused have already been granted bail, the instant 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.

February 12, 2021

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(GURVINDER SINGH GILL)
JUDGE

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