

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-48922 of 2021 (O&M)

DECIDED ON:30th November, 2021

Rohit Dhir @ Jhardia

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. J.S. Thakur, Advocate for petitioner.

Mr. Amit Mehta, Sr. DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No. 68 dated 21.6.2020, under Sections 379-B, 392, 395 IPC, 1860 and under Section 25 of the Arms Act, 1959, registered at Police Station Patara District Jalandhar Rural.

As per the case set up by the prosecution on 21.6.2020, police party received a secret information that Rohit Dhir @ Jharhia (petitioner), Baljinder Singh @ Shama, Jasvir Singh @ Jassa son of Sukhdev Raj and another Jasbir Singh @ Jassa son of Lakhvir Singh had formed a gang and were indulging in dacoities/robberies in the area and were having illegal weapons. Finding the information reliable naka was set up and car bearing registration No. PB-08-DB-2646 was signaled to stop. The driver tried to escape after leaving the car but was apprehended. He disclosed his name as Rohit Dhir @ Jharhia (petitioner) and .32 bore pistol and 6 live cartridges were recovered. From co-accused Baljinder Singh alias Shama, who was

sitting on the front seat of the Car was found in possession of a country made pistol of .315 bore along with five live cartridges, Jasvir Singh @ Jassa son of Lakhvir Singh and Jasvir Singh son of Sukhdev Lal were found to be carrying a Datar each. They were arrested in this case.

Investigation is complete, challan stands presented. The prayer for regular bail was rejected on 8.3.2021 by Addl. Sessions Judge.

Heard learned counsel for the parties and perused the paper book.

The petitioner was arrested on 24.6.2020. No further recovery is to be made. *Albeit* the challan has been presented but conclusion of trial is likely to take time. Opposition of bail on the ground that petitioner is involved in six other cases in itself would not be a ground for denial of bail. Co-accused was granted bail by this Court vide order dated 24.2.2021 subject to certain conditions.

The petition is allowed. Petitioner is granted bail on furnishing of bail bonds and surety bonds to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Jalandhar subject to the following conditions:

- (i) he shall appear in the Court on each and every date of hearing.*
- (ii) he shall not give any threat or intimidation to the prosecution witnesses.*
- (iii) he shall not leave India without prior permission of the Court and shall surrender his Passport, if he has got one, otherwise to furnish affidavit in that regard.*
- (iv) he shall not indulge in any criminal activity.*
- (v) he shall join the investigation as and when directed by the Investigating Officer.*
- (vi) he shall got his presence marked in the police station Rama Mandi, Jalandhar on every Saturday of the week between 11.00 A.M. to 2.00 P.M. so that an eye can be kept on his movements and he is deterred from indulging in any criminal activity.*

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

30th November, 2021
reema

(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>