

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

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CRM-M-49910-2021

Date of Decision: 03.12.2021

Jagseer Singh @ Jagga

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. O.P.Kamboj, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Vann Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.41 dated 23.05.2021 at Police Station Zira, District Ferozepur, under Sections 457/380 IPC.
2. The FIR was lodged at the instance of Daljeet Singh, wherein it is alleged that on 23.05.2021, he woke up at about 4:00 AM, as their dog was barking. He got up and looked outside and saw that Jagseer Singh @ Jagga, Balwinder Singh @ Binder, Manjinder Singh @ Bhoond and some other unidentified persons were committing theft of wheat from a room of his house. It is alleged that when the accused noticed the complainant, they ran away by scaling the wall. The complainant saw that the accused made good

their escape in an Alto car and on a motor-cycle and that bags of wheat had been loaded in the car. Upon checking, the complainant found that the accused had entered into their house by scaling the wall, as the door was locked and had picked up empty bags lying in the room and committed theft and had taken away 4 qtls. of wheat valued at about Rs.8000/-.

3. Learned counsel for the petitioner has submitted that the manner in which the offence is alleged to have been committed is highly unlikely inasmuch as carrying 4 qtls. of wheat and that too after putting the same in the empty bags lying in the room itself and taking it away in a small car like Alto after scaling the wall is rather impracticable.
4. Opposing the petition, learned State counsel has submitted that the petitioner is a habitual offender having been involved in 7 other cases. It has, however, been informed that the petitioner as on date has been behind bars since the last about 6 months and 7 days.
5. I have considered rival submissions addressed before this Court.
6. The petitioner in para 11 of his petition has mentioned the details of 6 other cases registered against him by mentioning the FIR numbers. He is stated to have been acquitted in all the said 6 cases. Keeping in view the custody of the petitioner and the nature of offence, this Court is of the opinion that it is a fit case for grant of bail to the petitioner particularly since the conclusion of trial will take some time. 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.

03.12.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**