

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

218

CRM-M-50345-2021

Date of Decision: 07.12.2021

Lovepreet Singh @ Labha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Ms. Harpreet Kaur Arora, Advocate, for the petitioner.

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

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.178 dated 23.07.2021 at Police Station Sadar Amritsar, District Police Commissionerate, Amritsar, under Sections 379-B(2)/419/34 IPC, but the challan stands presented under Sections 392/419/379/411/120-B/34 IPC and Section 25/27 of the Arms Act.
2. The FIR was lodged at the instance of Jatinderpal @ Babbu, wherein it is alleged that he is having a shop at Majitha Road, Amritsar and sells plywood. On 23.07.2021, when he alongwith his son Shivampal came to their house at about 1:30 PM to have lunch and opened the door of the house, 3 persons with muffled faces came out of their house and who brandish a knife and ran away from the spot on a motor-cycle. It is alleged that he came to

know from his wife Komal Pal and mother Santosh that the said 3 persons had entered into their house by showing some identity cards of Bank and had forcibly snatched an amount of RS.2 lakhs and a mobile phone while pointing a knife at them.

3. Learned counsel for the petitioner has submitted that the petitioner is nowhere named in the FIR and is sought to be nominated as an accused on the basis of a supplementary statement of the complainant recorded on 24.07.2021 to the effect that the petitioner had conducted recce of the house and of shop of the complainant. Learned counsel has submitted that the aforesaid supplementary statement is nothing, but an improvement and an attempt to involve more persons as accused in the case.
4. Opposing the petition, learned State counsel has submitted that the supplementary statement made by the complainant cannot be doubted inasmuch as the same came to be recorded on the very next day of lodging of the FIR. It has further been submitted that the petitioner happens to be involved in one more identical case and as such, his credentials are not above board and he does not deserve the concession of bail. It has, however, been informed that as on date the petitioner has been behind bars since the last about 3 months & 11 days and that challan already stands presented.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the petitioner came to be nominated as an accused on the basis of a supplementary statement, wherein allegations against him are that he had conducted recce of the

house and of shop of the complainant and while also noticing that the petitioner has been behind bars since the last more than 3 months and challan already stands presented, further detention of the petitioner will not serve any useful purpose as 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.

07.12.2021

Vimal

**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**