

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

CRM-M-52286-2021 (O&M)

Date of Decision:-20.12.2021

Taljinder Singh @ Lalli

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vipin Mahajan, Advocate for the petitioner.

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

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.95 dated 17.8.2021 at Police Station Dhariwal, District Gurdaspur, Punjab under Sections 379-D and 34 of Indian Penal Code.
2. As per allegations levelled in the FIR, on 17.8.2021 when the complainant Anshdeep Singh alongwith his friend Prabhjot Singh was waiting near 'Bebe Nanki College' for his friend, two young boys came on a motorcycle and started threatening them. It is alleged that the person, who was driving the motorcycle, snatched his mobile phone and fled away from the spot. The said motorcycle is stated to be bearing registration No.PB-18-P-5007.
3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that there is no evidence to connect him with the alleged occurrence.

4. On the other hand, learned State counsel has submitted that although the petitioner is not named in the FIR, but the police was able to identify him as well as the co-accused on the basis of CCTV footage extracted from the CCTV camera installed at 'Malhotra Cloth House' and that upon examining the CCTV footage, the driver of the motorcycle was identified as Taljinder Singh @ Lalli and the pillion rider was identified as Jorawar Singh @ Fattu. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 4 months and that challan already stands presented. Learned State counsel has further informed that although charges have been framed, but none of the cited 13 PWs has been examined so far. It has also been informed that the petitioner happens to be involved in one more case registered under Section 379-D IPC and that, in these circumstances, the petitioner does not deserve the concession of bail.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case particularly the fact that the investigation is complete and challan has been presented and that not even a single PW out of the cited 13 PWs has been examined till date, further detention of the petitioner will not serve any useful purpose. 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.

20.12.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No