

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

**CRM M-2162 of 2022 (O&M)**

**Date of Decision: March 08, 2022**

Jagsir Singh @ Kala and another ...Appellants  
Versus  
State of Punjab ... Respondent

**CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present : Mr. Kamal Narula, Advocate  
for the petitioners.

Ms. Ambika Bedi, AAG, Punjab.

**FATEH DEEP SINGH, J. (Oral)**

By this order shall stand disposed off second petition of accused/petitioners under Section 438 Cr.P.C. filed in case FIR No. 06 dated 06.02.2020 under Sections 380, 457, 427 and 379-B, 323, 324 IPC (added later on) Police Station Mallanwala, District Ferozepur and Sections 201, 397, 398, 411, 458 and 120-B of IPC added at the time of framing of charge, the earlier one of accused Jagsir Singh @ Kala having been dismissed as

withdrawn by this Court vide order 09.07.2020 and that of accused Amandeep Singh @ Sahba as disposed of as withdrawn vide order dated 14.10.2021.

The present case was got registered on the statement of Manager of HDFC Bank Branch BhagoKe. In his statement, the complainant has alleged that on 5<sup>th</sup> February 2020 around 6.20 p.m., they had closed the premises of the bank and at that time left behind guard Suba Singh to look after the security of the bank. The next day morning around 04.30 a.m., the manager was informed by the security guard that some unidentified persons after breaking open the shutter of the bank had broken the articles lying therein and who have also taken away the safe of the bank on a vehicle and while leaving had assaulted the security guard leading to registration of the present case. It was subsequently upon arrest, petitioner Jagsir Singh @ Kala was allowed regular bail by this Court vide order dated 15.03.2021 and petitioner Amandeep Singh Sahba on 24.08.2021. It is during the course of investigation offences

under Sections 201, 397, 398, 411, 458 and 120-B IPC were added and at the time of framing of the charges has led to the filing of the present petition jointly by both these accused/petitioners.

Heard Mr. Kamal Narula, Advocate for the petitioner and Ms. Ambika Bedi, AAG Punjab and perused the records.

Apparently, what has reflected is that during the initial investigations there has been non application of mind by the Investigating Officer who in spite of aware of the fact that there has been a bank robbery whereby the accused persons armed with deadly weapons had not only assaulted the security guard but also caused him injuries to facilitate the commission of the crime and weapon used in the commission of the offence is stated to have been recovered from one of these accused/petitioners. Though much force has sought to be laid by Mr. Kamal Narula Advocate for the petitioners that there is no other criminal case against the petitioners who have clear antecedents has been opposed by the State on the grounds that

one of the accused in this bank robbery happened to be an employee of the same Bank and therefore necessitates strict view of the matter. There are serious allegations against both the petitioners which were not earlier brought to the notice of this Court in the earlier two orders above, for which, custodial interrogation is essential to further advance the investigations and it might lead to presentation of supplementary challan in requirement of comprehensive investigations that may be necessitated.

In view of the heinousness of the offence, this Court is not inclined to grant the bail.

Dismissed.

**March 08, 2022**  
amit rana

**(FATEH DEEP SINGH)**  
**JUDGE**

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