

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4393-2022 (O&M)
Date of decision: 04.05.2022

Jaspal Singh @ Bagga

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rajesh Kapila, Advocate
for the petitioner.

Mr. Abhay Pal Gill, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.120 dated 21.08.2021 under Sections 457, 380, 427 IPC and Section 411 IPC (added later on), registered at Police Station Adampur, District Jalandhar.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered on the statement of one Sanjiv Kumar, an officer of ATM Department, State Bank of India, on 19.08.2021, he had put up money in the ATM installed in Village Daroli Kalan and on 21.08.2021, he received a phone call that shutter and lock of the shop are broken, where the ATM machine is installed. On reaching there, he found that somebody had stolen the money

from the ATM by cutting the machine with the help of gas cutter and Rs.6,44,100/- lying in the same were missing. It is further submitted that on 23.08.2021, police recorded statement of Sarpanch of the village, namely Rachpal Singh, in which it is stated that he had seen one Swift Dzire car bearing registration No.PB-01A-0721 with its boot open and later on, he found that lock of ATM machine was broken.

Learned counsel further submits that the petitioner was arrested and gas cylinder along with cutter were recovered from the car belonging to him. It is also submitted that the petitioner is not registered owner of the car and within a short span of time, he is nominated in three more FIRs i.e. FIR No.39 dated 17.07.2021, FIR No.80 dated 05.08.2021 and present FIR, which was registered on 21.08.2021 and prior to that, he has no such history of involvement in any case and in all the FIRs, he has been nominated on the basis of disclosure statements of co-accused. It is further submitted that the petitioner is in custody for the last 08 months and 12 days; investigation is complete; challan stands presented and one of his co-accused namely Charanjit Singh @ Nandu has already been granted the concession of regular bail by the trial Court vide order dated 26.04.2022.

Learned State counsel, on the basis of custody certificate, filed in the Court today, has not disputed the factual position, however, it is submitted that charges are yet to be framed.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid facts and

circumstances of the case and the fact that conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

04.05.2022

vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No