

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

CRM-M-6050-2022 (O&M)

Date of Decision:-29.8.2022

Dipty Singh @ Dipty

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Satpreet Grewal Kapila, Advocate for the petitioner.

Ms. Swati Batra, DAG, Punjab,
assisted by ASI Paramjit 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.222, dated 19.9.2021, Police Station Tanda, District Hoshiarpur, under Sections 379-B and 34 of Indian Penal Code.
2. The FIR was lodged at the instance of Barinder, wherein it is alleged that on 18.9.2021 while he was going on a motorcycle after collecting an amount of Rs.64,530/- from various persons, then another motorcycle came from behind on which 3 persons were riding and who were having their faces muffled and they stopped their motorcycle in front of him and snatched the bag containing cash, a Tab and receipt books and fled away from the spot.
3. Learned counsel for the petitioner submitted that the petitioner is nowhere named in the FIR and has been nominated as an accused on the basis of an alleged secret information received during the course of inquiry, which would hardly carry any evidentiary value.

4. On the other hand, learned State counsel submitted that pursuant to arrest of the accused, the motorcycle used in commission of crime was got recovered at his instance, which would establish his complicity. Learned State counsel has informed that the petitioner as on date has been behind bars since the last more than 11 months and stands involved in one more case. It has been informed that charges are yet to be framed and as many as 11 PWs have been cited.
5. It may here be mentioned that the petitioner himself has, however, disclosed particulars of 3 other cases under Excise Act in which he is stated to be involved but is on bail in the said cases.
6. I have considered rival submissions addressed before this Court.
7. The petitioner is not named in the FIR and has been nominated subsequently on the basis of some secret information. The petitioner has been behind bars for a substantial period of more than 11 months. Conclusion of trial is likely to consume time inasmuch the trial has not even commenced till date and charges are yet to be framed. In these circumstances, further detention of the petitioner will not serve any useful purpose.
8. 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.

29.8.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No