

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

CRM-M-7265-2022 (O&M)

Date of decision: 25.08.2022

Pardeep Singh @ Pappu and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Kartar Singh, Advocate for the petitioners.

Mr. Subhash Godara, Addl. A.G. Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioners have filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 129 dated 03.12.2021, registered under Sections 379-B, 201, 411 IPC, at Police Station Chhajli, District Sangrur.

Reply by way of affidavit dated 13.05.2022 of the Deputy Superintendent of Police, Sub-Division Dirba, already filed in the Registry, is taken on record.

Since petitioner No. 2-Harwinder Singh @ Pindri, is involved in 04 other cases, learned counsel for the petitioners submits that he does not want to press the petition qua petitioner No. 2.

The petition qua petitioner No. 2-Harwinder Singh @ Pindri is dismissed as not pressed.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR; that the petitioner has falsely been implicated in the present case; that the recovery has already been effected and there is no other

pending or decided case against the petitioner; that no offence under Section 379-B is made out against the petitioner; that the petitioner has been in custody since 12.12.2021 and the challan stands presented and that no test identification parade was conducted.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner along with co-accused have snatched Rs. 1,73,000/-, out of which recovery of Rs. 65,000/- was effected from the petitioner. However, he does not dispute the custody period of the petitioner and the fact that there is no other pending or decided case against the petitioner. He submits that the challan stands presented.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 12.12.2021. The petitioner was not named in the FIR and the recovery has already been effected. The petitioner is not involved in any other case. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and petitioner- Pardeep Singh @ Pappu, is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

25.08.2022

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No