

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

232

CRM-M-11520-2022

Date of Decision: 31.10.2022

Sanjeev Kumar @ Sanju

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. S.S.Dhaliwal, Advocate,
for the petitioner.

Mr. Siddharth Attri, AAG, Punjab,
assisted by ASI Harcharan Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.257, dated 9.10.2020, Police Station Division No.6, Ludhiana, District Ludhiana, under Sections 394/120-B/411/201/324 IPC and Sections 25/54/59 of Arms Act.
2. The allegations, in nutshell, are that on 09.10.2020 complainant Sandeep Jain, who is working as Manager at Rattan Fabrics 707, Industrial Area-A Ludhiana, at about 6.00 P.M, while driving his scooty Make Maestro bearing No. PB-10-FZ-8390 had reached opposite ATI College Gill Road. He was having an amount of Rs.3,42,000/- placed in a bag in the dicky of scooty. In the meanwhile, a Verna Car of white colour came from backside and hit his scooty Maestro

as a result of which he fell down towards left side alongwith his scooty. Three clean shaven persons came out from the said car. Two of them were armed with *datars* and one of them was having a pistol type arm in his hand. The persons who were armed with *datars* gave blow to him and injured him and one of them snatched his scooty and ran towards Gill Chowk and the remaining persons also fled away in their car. Complainant informed his employer telephonically about the said incident. The complainant, who was injured, was taken to ESI hospital, Ludhiana. On the basis of his statement, an FIR was recorded and the investigation in the case started. On 10.10.2020 the scooty snatched by the accused was recovered. On 18.10.2020 a supplementary statement of the complainant was also recorded, who disclosed the name of accused as Gurpreet Singh @ Gopi working as cashier in Jindal Textile Firm and his co-accused as Shubham Gopi, Sanjeev Kumar @ Sanju Baman, Mohit Sharma and Toti. On the basis of his supplementary statement, the offence under Section 120- B was also added later on. Said accused were arrested in this case on 19.10.2020 and an amount of Rs.1,40,000/- out of the snatched amount along with car used in the instant crime were recovered from the accused.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the instant case and that challan in this case has already been filed. It has further been submitted that petitioner in any case has been behind bars since the last more than 2 years and since conclusion of trial is likely to consume time, the petitioner deserves the concession of bail. It has also been submitted that since co-accused, namely, Mohit

Sharma, Deepak, Gurpreet Singh and Shubham @ Gopi already stand released on bail by this Court, the petitioner also deserves the same concession on grounds of parity as well.

4. On the other hand, learned State counsel has not disputed the fact that the aforesaid 4 co-accused had been granted bail by this Court. It has been informed that the petitioner has been behind bars since the last about 2 years & 4 days. It has also been informed that the petitioner stands involved in 3 more cases.
5. This Court has considered rival submissions.
6. The petitioner in any case has been behind bars for a substantial period. Identically situated co-accused had already been released on bail. Since conclusion of trial will consume time, 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 bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

31.10.2022

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(GURVINDER SINGH GILL)
JUDGE

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