

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

CRM-M-11160-2022 (O&M)
Date of Decision:-22.3.2022

GULZAR ALI @ JULFIKAR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Mayur Karkra, Advocate
for the petitioner.

Mr. Anmol Sandhu, AAG, Punjab.

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.207 dated 22.9.2021 registered under Sections 307, 324, 395 IPC and Section 25 of Arms Act at Police Station Passiana, District Patiala.

The counsel for the petitioner submitted that the petitioner was nominated as an accused solely on the basis of supplementary statement made by the complainant. The petitioner was arrested but no incriminating article was recovered from him. The counsel further made prayer that petitioner be released on regular bail as it will take time for conclusion of the trial.

The present petition is contested by the State counsel, who submitted that in the present case truck loaded with 16 tonnes of iron rods

and iron 'patties' was snatched and the present petitioner actively participated in the said incident.

I have considered the submissions made by counsel for the petitioner as well as by State counsel.

Undoubtedly, the present petitioner was not named in the present FIR and his name appeared in the supplementary statement of the complainant which was recorded on the next day of registration of FIR. As per the State counsel no recovery was effected from the petitioner who was arrested in this case on 22.9.2021 and is presently lodged in judicial custody. Even Innova car bearing No.PB11-CL-7420 used at the time of occurrence is not stated to be owned by the petitioner. On completion of investigation, 'challan' has been presented but trial is yet to begin. It will take time for conclusion of the trial.

Keeping in view facts and circumstances mentioned above, no fruitful purpose is going to be served even if the petitioner is kept in judicial custody for indefinite period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

22.3.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No