

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

CRM-M-15344 of 2022(O&M)

Date of Decision: 21.04.2022

Jinder @ Sukhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Sukhwinder Singh Kamboj, Advocate
For the petitioner.**

Ms. Samina Dhir, DAG Punjab.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Cr.P.C. by the petitioner seeking regular bail in FIR No. 207 dated 22.09.2021, registered under Sections 307, 395 and 324 IPC and Section 25 of Arms Act, Police Station Passiana, District Patiala.

Counsel for the petitioner submitted that the petitioner was nominated as accused solely on the basis of supplementary statement made by the complainant. Later on, he was arrested but no incriminating article was recovered from him. He further submitted that alleged Innova Car bearing registration No.PB11-CL-7420 used at the time of the incident which was later on recovered also did not belong to the petitioner. He further contended that similarly situated co-accused Babbu Khan has been granted the benefit of regular bail by this Court vide order dated 10.03.2022 passed in CRM-M-9436 of 2022. He further made prayer that it will take time for conclusion of the trial and as such, the petitioner be released on regular bail.

Present petition is contested by the counsel for the State who submitted that the case is relating to snatching of truck loaded with 16 ton of iron rods (saria) and iron pattis. It is further contended that the petitioner is facing serious allegations. He, however, did not dispute that co-accused has already been enlarged on regular bail by this Court.

I have considered the submissions made by the counsel for the parties.

Admittedly, the petitioner was not named in the FIR and his name appeared in the supplementary statement of the complainant which was recorded on the next day of the registration of FIR. As per counsel for the State, no recovery was effected from the petitioner who was arrested in the present case on 22.09.2021 and is presently lodged in judicial custody. Even Innova car bearing registration No.PB11-CL-7420 used at the time of the occurrence is not stated to be owned by the petitioner. Trial in this case is yet to begin. It will take time for conclusion of trial. Co-accused has already been granted the concession of regular bail. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

21.04.2022

Jiten

**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**