

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

(I)

CRM-M-19123-2022 (O&M)

Date of Decision:- 25.8.2022

Jatinder Pal @ Johny

... Petitioner

Versus

State of Punjab

... Respondent

(II)

CRM-M-28138-2022 (O&M)

Waris Masih

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Dinesh Mahajan, Advocate, for the petitioner.

Mr. Siddharth Atttri, AAG, Punjab,
assisted by ASI Sanjeev Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions wherein petitioners Jatinder Pal @ Johny and Waris Masih, seek grant of regular bail in a case registered vide FIR No.08, dated 18.3.2022, Police Station Nangal Bhoor Pathankot, District Pathankot, under Sections 379-B and 34 IPC.

2. The FIR was lodged at the instance of Rani Devi wherein it is alleged that on 18.3.2022 when she was sitting at the shop of her son, then two persons came on a motorcycle one of whom was Jatinder Pal. It is alleged that Jatinder Pal snatched gold ear ring worn on the left ear by the complainant and thereafter both of them fled away from the spot.
3. Learned counsel for the petitioners has submitted that the petitioners have been falsely implicated and that the falsity would be evident from the fact that complainant Rani Devi has absolutely resiled from her statement. Learned counsel has today passed on a certified copy of statement of the complainant-Rani Devi.
4. Learned State counsel has however, opposed the petition and has submitted that he does not have any instructions as regards the resiling of the complainant. It has however, been informed that the petitioners have been behind bars since the last about 5 months. It has also been informed that Jatinder Pal stands involved in one more case.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the petitioners have been behind bars for a substantial period of about 5 months and while also noticing that the complainant has since resiled from the statement, as is evident from the certified copy of statement dated 14.7.2022, which has been produced by counsel for the petitioner, further detention of the petitioners will not serve any useful purpose. The petitions, as such, are accepted and the petitioners are ordered to be released on

bail subject to their furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. A photocopy of this order be placed on the file of each connected case.

25.8.2022
mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No