

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-24119-2022

Date of Decision:-02.06.2022

**Charandeep Singh @ Charnjit Singh @ Channi & Kulwinder Singh @
Neetu.**

.....Petitioners.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Deepak Gupta, Advocate for the Petitioners.

Mr. Sidamkeet Singh Sandhu, Assistant Advocate General,
Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.03 dated 03.01.2022 under Sections 379-B IPC and later on added Section 411 IPC registered at Police Station Sadar Kotkapura, District Faridkot.

The brief facts of the case are that Veer Singh son of Kewal Singh got recorded the FIR to the effect that on 29.12.2021, at about 5.30 PM while he was coming to his village on a motor cycle and stopped the same to answer the call of nature, two young persons with muffled faces came from behind, showed him a *kappa* and snatched away his mobile phone, purse, ATM Card etc.

The Counsel for the petitioners submits that petitioners have been named on suspicion alone. In fact a totally false and manipulated story has been enacted by the police thereby implicating the petitioners. As per the allegations the occurrence took place on 29.12.2021 whereas the FIR was registered on 03.01.2022 and the complainant has failed to explain this delay in approaching the police after the incident. He contends that a co-accused of the petitioners has been granted the concession of regular bail. It is contended that petitioners are in custody since 03.01.2022, 19 prosecution witnesses were to be examined, none of whom have been examined till date. He further submits that except the present FIR, no other FIR stands registered against the petitioner and he had clear antecedents and, therefore, the petitioner was entitled to the concession of regular bail.

The Counsel for the State on the other hand contends that offences of such kind are on the rise. In fact the petitioners are the main accused and from Charandeep Singh-petitioner no.1 a mobile phone was recovered and from petitioner no.2 an iron Kappa, mobile phone, iron spade and iron pipe were recovered. He therefore contends that the petitioners do not deserve the concession of regular bail.

I have heard counsel for both the sides at length.

Admittedly, the co-accused of the petitioners namely, Karamjit Singh @ Golu has been granted the concession of regular bail vide order dated 26.05.2022. As many as 19 prosecution witnesses are to be examined and till date even the charges have not been framed. The petitioners are in custody since 03.01.2022 and therefore, their further incarceration is not required.

Keeping in view the stage of trial , without commenting on the

merits of the case, the present petition is allowed and the petitioners- **Charandeep Singh @ Charnjit Singh @ Channi** and **Kulwinder Singh @ Neetu** both sons of Sh. Harmail Singh are ordered to be released on bail subject to their furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

If the petitioners indulges in similar offence for which they are currently charged, the State would be at liberty to move an application for cancellation of their bail.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

June 02, 2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>