

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

CRM M-22376-2020

Date of Decision: 26.07.2022

Karamjit Singh @ Joga

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Varun Kumar, Advocate for
Mr. B.R. Rana, Advocate,
for the petitioner.

Ms. Kanica Sachdeva, AAG Punjab.

MAHABIR SINGH SINDHU. J.

Second petition has been filed under Section 439 Cr.P.C. for grant of bail pending trial to the petitioner in FIR No.211 dated 09.10.2018, under Sections 394, 379-B, 397, 120-B IPC and Sections 25 & 27 of the Arms Act, 1959 registered at Police Station Sarabha Nagar, District Ludhiana.

2. The above mentioned FIR was registered on the statement of Manpreet Singh who alleged that he had been working in Radiant Cash Management Private Services Agency for the last three years. His cousin Karanvir Singh, who lived with him, was also employed in the same organisation. They used to collect money from various places such as Ludhiana, Mullanpur and deposit the same with aforesaid company office at Bolt Chet Singh Nagar, Arora Palace, Ludhiana. On October 9th, 2018 at 7.00 pm, he along with said Karanvir Singh went to Amazon Office and collected Rs.10 lakh, 71 thousand in cash. The same was put in yellow bag held by Karanvir Singh who was the pillion rider whereas, Manpreet Singh was driving the motor cycle.

When they hardly covered distance of 20/25 feet, one unknown person tried to snatch the bag. As a result, motor cycle got unbalanced and it had to be stopped. Manpreet Singh caught hold of that person and raised a *lalkara* which attracted many people on the spot. The accused fired a shot at the leg of complainant Manpreet Singh. 2-3 more boys tried to snatch the cash bag from Karanvir Singh and gave beatings to him. One boy fired a shot at the right leg of Karanvir Singh. They snatched the bag containing cash and ran away from the spot.

3. This Court, on 15.02.2021, while granting interim bail to the petitioner, passed the following order:-

“Contends that petitioner is in custody since 11.10.2018 and there is no progress in the trial.

Learned State counsel seeks time to verify the same.

Posted on 28.04.2021.

Let the petitioner be released on interim bail, till the next date of hearing, on his furnishing bail bond and surety bond to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

4. Learned counsel, on instructions from petitioner, submits that he has been regularly appearing before learned trial Court, but there is no progress. Further contends that petitioner is not involved in any other case. Also contended that in case, petitioner is granted bail on regular basis, there is no apprehension or allegation that petitioner shall influence the witnesses or tamper with the evidence in any manner.

5. The above factual position is duly acknowledged by learned State Counsel.

6. In view of the above, this Court is of the opinion that sending the petitioner in custody at this stage would not serve any purpose. Consequently,

the present petition is allowed and interim bail granted vide order dated 15.02.2021, is made absolute. Petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.

8. The above observations may not be construed as an expression of opinion on the merits of the case.

9. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

26.07.2022
SN

(MAHABIR SINGH SINDHU)
JUDGE

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