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

Date of decision: 05.07.2022

1. CRM-M No.25591 of 2022 (O&M)

Vikas Kumar @ Vikas Shooter

....Petitioner

Versus

State of Punjab and another

....Respondents

2. CRM-M No.25608 of 2022 (O&M)

Amit Kumar @ Meetu

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Lupil Gupta, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in both these petitions is for grant of regular bail to the petitioners namely Vikas Kumar @ Vikas Shooter and Amit Kumar @ Meetu under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.17 dated 12.03.2021, for offence punishable under Sections 379-B, 34 of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station City-2, Abohar, District Fazilka.

Counsel for the petitioners has submitted that as per the allegations in the FIR, registered at the instance of one Roshan Lal that on 12.03.2021, his wife Darshana Devi was sitting near the door of the house, when 02 persons came on a motorcycle and enquired about him

and one of them was having a muffled face and in the meantime, the other motorcycle rider snatched the gold chain of his wife and ran away from the spot. On persona enquiry, the complainant suspected that one Binni son of Purshottam has committed the crime. It is further submitted that later on, Binni was arrested and on his disclosure statement, both the present petitioners were nominated in the case. After the arrest of the petitioners, nothing incriminating was recovered from them. It is also contended that the petitioner - Vikas Kumar @ Vikas Shooter is in custody for the last 07 months and 02 days whereas the petitioner - Amit Kumar @ Meetu, is in custody for the last 06 months and 20 days and the investigation is complete and challan stands presented and it will take some time in conclusion of the trial.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail on the ground that the petitioners are involved in some other case.

Without commenting anything on merits of the case, considering the fact that the petitioner - Vikas Kumar @ Vikas Shooter is in custody for the last 07 months and 02 days and the petitioner - Amit Kumar @ Meetu, is in custody for the last 06 months and 20 days; the investigation is complete; challan stands presented; the custodial interrogation of the petitioners is not required; the petitioners were nominated in the case on the basis of the disclosure statement of one of the co-accused, which is yet to be proved during the course of trial; nothing incriminating was recovered from the petitioners to corroborate the disclosure statement of the co-accused and the conclusion of the

trial will take some time, both these petitions are allowed and the petitioners namely Vikas Kumar @ Vikas Shooter and Amit Kumar @ Meetu are directed to be released on bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioners, in case they are found involved in any other case or misusing the concession of bail, in any manner.

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

(ARVIND SINGH SANGWAN)
JUDGE

05.07.2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No