

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-34276-2021

DATE OF DECISION: FEBRUARY 15, 2022

BIKRAMJIT SINGH @ BIKKAR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. R.S. SIDHU, ADVOCATE FOR THE PETITIONER.
MR. RAMANDEEP SINGH SANDHU, SR.DAG. PUNJAB.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.06 dated 12.2.2016, under Section 356, 34 IPC (Section 379-B, 201 IPC added later on), Police Station Goindwal Sahib, District Tarn Taran, who is in custody since his arrest on 7.5.2021.

The allegations contained in the FIR as noticed by the Addl. Sessions Judge, Tarn Taran in the order dated 2.8.2021, are as under:-

“As per records, the FIR in this case is the outcome of an incident of snatching that took place on 12.2.2016 at about 10:30 a.m. when the complainant Gurjinder Singh with his cousin Sarabjit Kaur were going on a Motorcycle from Village Jandiala to Viillage Thanian and while on the way, two motorcyclists came from the backside who brought their motor cycle quite closer to that of the complainant and snatched the purse held by his cousin and also snatched the ear rings worn by her. According to complainant, the purse of his cousin contained cash amount of Rs.50000/-, two small ear

rings of gold and a mobile set make Samsung. The complainant also got recorded in his statement that the motor cycle of the culprits carried the registration plate depicting the number as PB-46/2508 and he also disclosed little bit physical appearance of the culprits.”

Learned counsel for the petitioner has argued that the petitioner and his co-accused, namely, Sarabjit Singh were made accused in the above FIR, who allegedly snatched the purse held by the sister of the complainant (Gurjinder Singh). Learned counsel further submits that as the petitioner was implicated in another case FIR No.75 dated 29.3.2015, under Section 21, 22 NDPS Act, Police Station Jandiala, District Amritsar and was arrested in the said case, therefore, he was declared proclaimed offender in the present FIR. He submits that his co-accused has already been released on regular bail by the trial Court vide order dated 6.3.2020, and the petitioner is in custody since his arrest on 7.5.2021, therefore, he be also released on bail as the trial is not making any progress.

On the other hand, learned State counsel assisted by ASI Baljinder Singh does not dispute the above sequence of events, but opposes the prayer on the ground that the petitioner is involved in few more cases of theft. He further states that though the investigation of the case is complete as final report stands filed, but the charges are yet to be framed and the co-accused of the petitioner is on regular bail.

Considering the above background, custody period of the petitioner and the fact that his co-accused has already been released by the trial Court, and the charges are yet to be framed, this Court is of the opinion that the petitioner also deserves the concession of bail, as conclusion of the

trial would take considerable time, therefore, further detention of the petitioner may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

February 15, 2022
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No