

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

239

**CRM-M-34245-2021 (O&M)**

**Date of Decision: 09.02.2022**

Vinod Bahia @ Vinod Kumar

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present: Mr. A.P.S. Sandhu, Advocate, for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab

*(proceedings conducted through video conferencing)*

**GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.130 dated 27.08.2020 at Police Station Tarsikka, District Amritsar Rural, under Sections 379-B(2) IPC (Sections 148/149 IPC added later on).
2. The FIR in question was lodged at the instance of Baljinder Singh wherein it is alleged that on 27.8.2020 he was proceeding from Ferozpur Mandi in his Chota Hathi bearing registration No.PB02-AX-7987 towards Rayya Mandi via Tarn Taran, Jandiala for the purpose of supplying 30 bags of Arbi. It is alleged that at about 11:00 PM, 5-6 persons, who were travelling in a Safari vehicle stopped his vehicle and started beating him with iron rods and datar and forcibly snatched his mobile phone and his purse which contains an amount of Rs.1200/-.

3. Learned counsel for the petitioner has submitted that he is nowhere named in the FIR and came to be nominated on the basis of a disclosure statement made by co-accused Satpal Singh. It has been submitted that although as on date the State claims that there are as many as 8 other cases, but all these cases have been foisted upon him falsely inasmuch as when he was initially arrested in another FIR in September, 2020 there were only two cases against him and it was while in custody that the present case and other 5 cases came to be lodged against him which apparently are on the basis of disclosure statement without there being the name of the petitioner in the FIR itself. Learned counsel has submitted that, in any case, the petitioner has been behind bars since the last about 1 years and as such deserves the concession of bail, particularly when the co-accused Satpal Singh and Gurpreet had already been granted bail.
4. Opposing the petition, learned State counsel has submitted that keeping in view the chequered history of the petitioner and the fact that he has been specifically named by the co-accused, no case for grant of bail is made out. Learned State counsel, however, could not dispute that as on 4<sup>th</sup> September, 2020 when the petitioner was arrested in another case, there were only 2 cases against him and that although he has been in custody ever since, he came to be nominated in other cases while he was in custody. Learned State counsel has informed that the petitioner as on date has been behind bars since the last about 1 year and that only 1 PW out of the cited 20 PWs has been examined till date.
5. I have considered rival submissions addressed before this Court.

6. Without commenting anything as regards the merits of the case but while taking into account that it is a case stated to be based on disclosure statement wherein the petitioner has been behind bars for a substantial period of one year and conclusion of trial is likely to consume time inasmuch as only 1 PW has been examined till date and while also bearing in mind that co-accused have already been released on bail, the petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**09.02.2022**  
VY/Hemlata

**(GURVINDER SINGH GILL)**  
**JUDGE**

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