

**CRM-M-36316-2021 and
CRM-M-49492-2021**

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**225
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-36316-2021
Date of Decision: 19.07.2022**

**(I)
Ravinder Singh**

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CRM-M-49492-2021

**(II)
Aman**

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Ashok Paul Batra, Advocate, for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

**Both the petitions are taken up together for final disposal
since they arise from the same FIR.**

**Both the petitions have been filed under Section 439 of the
Code of Criminal Procedure for the grant of regular bail to the petitioners in
FIR No. 125 dated 12.06.2021, under Sections 379A, 385, 506, 120-B IPC**

and Section 25/27 of Arms Act, registered at Police Station City-1 Abohar, Tehsil Abohar, District Fazilka.

CRM-M-36316-2021 has been filed by petitioner Ravinder Singh and CRM-M-49492-2021 has been filed by petitioner Aman.

The learned counsel for the petitioners in both the cases submitted that both the petitioners are in custody from 12.06.2021 which is almost one year and the charges have been framed on 14.07.2022 and considering the custody of the petitioners, they may be considered for the grant of regular bail.

On the other hand, Mr. Davinder Bir Singh, learned Deputy Advocate General, Punjab has stated on instructions from ASI Lal Chand that the petitioners are in custody from 12.06.2021 but has opposed the grant of bail to the petitioners on the ground that it is a case of theft and extortion and no witness has been examined till date. He further submitted that petitioner Ravinder Singh is also involved in two more cases out of which one pertains to Sections 379-B/34 IPC in FIR No.192 dated 10.09.2019 and in another case under the Excise Act which is FIR No.100 of 2018. He further submitted that so far as the other petitioner Aman is concerned, he is also involved in 9 more cases which includes offences under Sections 307/323/452 IPC. He further submitted that there is a real apprehension with the police that in case the petitioners are released on bail, then they may not only repeat the offence but may also influence the witnesses. He further submitted that considering the antecedents of the petitioners and the fact that no witness has been examined till date, the petitioners are not entitled for the grant of regular bail.

I have heard the learned counsel for the parties.

Although both the petitioners are in custody from 12.06.2021 but as of date no witness has been examined and the charges have been framed on 14.07.2022. The apprehension expressed by the learned Deputy Advocate General, Punjab based upon the antecedents of the petitioners cannot be ignored.

Therefore, considering the totality and circumstances of the present case, I do not deem it fit and proper to grant bail to the petitioners.

Consequently, both the petitions are dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petitions only.

19.07.2022
rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No