

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

CRM-M-35977-2020

Date of Decision: 15.02.2022

Jaswinder Singh @ Jony

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Manjinder Saini, Advocate, for the petitioner.

Mr. M.S.Dullat, Addl. AG, Punjab.

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.7 dated 20.01.2020 at Police Station Adampur, District Jalandhar, under Sections 379-B/411/34 IPC.
2. The FIR was lodged at the instance of Charanjit Singh, wherein it is alleged that on 17.01.2020, he had purchased a Creta car and that on the said date he had parked the same on the turn of Mahimadpur Bridge to Gol Village and had got down to ease himself. He had taken out the key and kept the same in his pocket. It is alleged that in the meantime, 3 young men came on a white coloured Creta car and 2 persons, having short hair, alighted while the driver remained inside the car. One of the persons asked him for the car keys and snatched his mobile phone. When the complainant resisted, the said person pointed

a pistol and forcibly took away his car keys and they sped away with his Creta car.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and has been nominated as an accused on the basis of his own disclosure statement, when he came to be arrested in another case i.e. FIR No.34 dated 07.03.2020 registered at Police Station Adampur, District Jalandhar, under Sections 399/401 IPC and Sections 25/54/59 of the Arms Act. It has further been submitted that such like disclosure statement would not carry any evidentiary value in the absence of any other corroborative evidence and as such, the petitioner is entitled to be released on bail particularly when he has been behind bars since the last more than 1 ½ years and the trial is not making any headway.
4. On the other hand, learned State counsel has submitted that since the petitioner had himself confessed his guilt, no case for grant of bail is made out. It has, however, been informed that the petitioner as on date has been behind bars since the last about 1 year & 10 months and that he stands involved in one more case i.e. FIR No.34 dated 07.03.2020. It has also been informed that in the instant case charges are yet to be framed and that as many as 9 PWs have been cited.
5. I have considered rival submissions addressed before this Court.
6. Without commenting anything as regards the merits of the case, but having regard to the fact that the petitioner has been behind bars for a substantial period of 1 year & 10 months and that the trial has not even commenced till date and as many as 9 PWs have been cited, further detention of the petitioner will not serve any useful purpose as the

conclusion of trial will take some time. The petition, as such, 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.

15.02.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

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