

CRM-M-36421-2022 (O&M) and
CRM-M-36387-2022 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36421-2022 (O&M)
Date of Decision: 24.08.2022

(I)
Lovepreet Singh

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CRM-M-36387-2022 (O&M)

(II)
Veer Singh

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. A.S. Thind, Advocate, for the petitioners.

Mr. Kunal Viyanak, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

CRM-29495-2022 in
CRM-M-36421-2022 and
CRM-29474-2022 in
CRM-M-36387-2022

For the reasons mentioned in the applications, the same are
allowed subject to all just exceptions.

Main cases

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. 49 dated 23.06.2022, under Sections 363, 365, 384, 385, 342, 323, 506, 120-B IPC, registered at Police Station Ghanie Ke Bangar, Batala, District Gurdaspur.

The learned counsel for the petitioners in both the cases submitted that both the petitioners are in custody for about 2 months and it is a case where both the petitioners have been falsely implicated. He further submitted that husband of the complainant namely Manmeet Kumar was an employee of the co-accused Avtar Singh and so far as these two petitioners are concerned, they were only employees of the aforesaid Avtar Singh and even the allegations contained in the FIR are totally improbable and vague and it was only because of the said Manmeet Kumar was told to give the account and the employer was forcing upon him that he had concocted a story. He further submitted that the two similarly situated co-accused namely, Gorroban Singh and Harjit Singh have been granted interim anticipatory bail by this Court vide Annexure P-2 and P-3 and no recovery is to be effected from the petitioners in the present case in view of the facts and circumstances of the case. He further submitted that both the petitioners have got clean antecedents and they are not involved in any other case.

On the other hand, the learned State counsel has submitted that both the petitioners are in custody for about two months and the other

similarly situated co-accused have been granted interim anticipatory bail by this Court vide Annexure P-2 and P-3.

I have heard the learned counsel for the parties.

As per the learned counsel for the parties, both the petitioners are in custody for about two months and the other similarly situated co-accused have been granted anticipatory bail by this Court. As per the learned counsel for the parties, no recovery is to be effected from the petitioners. Both the petitioners are stated to be not involved in any other case. Furthermore it is not the case of the State that in case the petitioners are released on bail then, they may influence any witness or may tamper with evidence or may flee from justice.

Therefore, considering the aforesaid facts and circumstances, this Court is of the view that both the petitioners are entitled for the grant of regular bail.

Consequently, both the petitions are allowed. Both the petitioners shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

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.

24.08.2022
rakesh

(JASGURPREET SINGH PURI)
JUDGE

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