

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-37528-2022

Date of Decision: 29.8.2022

Akashdeep Singh alias Akash

....Petitioner

VERSUS

State of Punjab.

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Neeraj Yadav, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.0067 dated 9.3.2022 registered for the offences punishable under Sections 379 B(2) IPC at Police Station Civil Lines, District Amritsar.

Counsel for the petitioner submits that the petitioner was not named in the FIR and he was nominated as accused on the basis of the disclosure alleged to be made by co-accused-Angrej Singh who has been granted regular bail by the Coordinate Bench of this Court vide order dated 6.7.2022 (Annexure P-2). He further submits that during the investigation of the case, the petitioner was arrested but nothing was recovered from his possession and that the police has already presented the challan after completion of investigation. So, prayer is made for grant of regular bail to the petitioner.

Present petition is opposed by the State counsel who submits

that the trial is yet to commence and as such, there is no ground to grant bail to the petitioner. However, State counsel has not refuted the fact that during the investigation, no incriminating article was recovered from the possession of the petitioner who is in custody since 9.6.2022 and was implicated as accused on the basis of disclosure made by co-accused/Angrej Singh.

I have considered the submissions made by the counsel for the parties.

As per allegations recorded in the FIR, two unidentified persons having muffled faces snatched ₹ 20,000/- from complainant-Sarabjit Singh who had withdrawn the said amount from ATM of HDFC bank in the area of Civil Lines Lines, Amritsar. The petitioner was named as accused on the basis of disclosure made by co-accused-Angrej Singh who has been granted benefit of regular bail vide order dated 6.7.2022 (Annexure P-2) by Coordinate Bench of this Court. The petitioner was arrested on 9.6.2022 and during the investigation, no incriminating article was recovered from the possession of the petitioner. Admittedly, after completion of investigation, police has presented the challan and presently the petitioner is lodged in judicial custody.

It will take time for conclusion of trial. Thus, no fruitful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate

concerned.

(KARAMJIT SINGH)
JUDGE

August 29, 2022
Paritosh Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No