

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(208)

CRM-M-43173-2022

Date of decision: - 23.09.2022

Jagjit Singh and another

....Petitioners

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Barjinder Singh, Advocate for
Mr. Prateek Pandit, Advocate,
for the petitioners.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a first petition under Section 439 Cr.P.C. for grant of regular bail to the petitioners in FIR No.21 dated 11.01.2022, registered under Sections 420, 379-B, 120-B, 468, 471 and 473 IPC (Sections 468, 471 and 473 IPC have been added later on), at Police Station Zirakpur, District SAS Nagar (Mohali).

Learned counsel for the petitioners has submitted that the petitioners have been in custody since 24.07.2022 and the investigation is complete and the challan has been presented and there are 25 witnesses, none of whom have been examined and thus, the trial is likely to take time. It is further submitted that the petitioners have not been named in the FIR and even as per the prosecution case, the petitioners had not committed any offence and the only allegation against the petitioners is

that their father Jagir Singh @ Grewal Sahib, who is one of the accused in the incident with respect to snatching of Rs.10 lakhs from the complainant, had stated in his disclosure statement that he had given Rs.3.50 lakhs out of the said amount to the present petitioners, who are his sons. It is further submitted that the petitioners have not committed any offence and they are not involved in any other case and no recovery has been effected from them.

Learned State counsel, on the other hand, has opposed the present petition and has submitted that after the father of the petitioners had committed the offence, he had given the an amount out of the snatched money to the present petitioners and thus, they were also involved in the present case.

This Court has heard learned counsel for the parties and has perused the paper book.

The petitioners have been in custody since 24.07.2022 and the investigation is complete and the challan has been presented and there are 25 witnesses, none of whom have been examined and thus, the trial is likely to take time. The petitioners are stated to be not involved in any other case. The petitioners were not named in the FIR nor stated to have committed the offence even as per the prosecution case and the allegation against the petitioners in the FIR is that their father Jagjit Singh @ Grewal Singh, along with other co-accused, had committed the offence of snatching of Rs.10 lakhs from the complainant and he had paid an amount of Rs.3.50 lakhs to the present petitioners. Moreover, no recovery has been effected from the present petitioners.

Keeping in view the above said facts and circumstances, the present petition is allowed and the petitioners are ordered to be released on bail on their furnishing bail / surety bonds to the satisfaction of the concerned trial Court/ Duty Magistrate and subject to them not being required in any other case.

However, it is made clear that in case, any act is done by the petitioners to threaten or influence the complainant or any of the witnesses, then it would be open to the State to move an application for cancellation of bail granted to the petitioners.

Nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

September 23, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No