

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-48386-2021 (O&M)
Date of Decision:- 27.7.2022

Pardeep Kumar @ Bajrangi Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rahul Jaswal, Advocate, for the petitioner.

Mr. Anmol S. Sandhu, AAG, Punjab,
assisted by ASI Ravinder Singh.

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. 139, dated 10.6.2020, Police Station Adampur, District Jalandhar, under Sections 380, 392, 482 IPC.
2. It is the case of prosecution that Gursevak accompanied by two more persons who were later identified to be Pardeep Kumar and Atul had entered into the house of Baba Mehant Tarsem Singh and after administering him some intoxicating substance made him unconscious and tied him and committed robbery at his *dera* of

valuable articles including Rs.18,000/-, Swift car, ATM Card, rifle and 50 cartridges.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that he is nowhere named in the FIR. However, the petitioner has been nominated as an accused on the basis of statement suffered by victim Baba Mehant Tarsem Singh. It has further been submitted that in any case neither the petitioner nor any of the co-accused inflicted any injury upon the victim as would also be evident from the cross-examination of PW-1 Mahant Tarsem Singh, wherein he has categorically stated that he was not inflicted any injury except slap. Learned counsel for the petitioner has submitted that the petitioner has been behind bars since the last more than 2 years and is not involved in any other case.
4. Opposing the petition, learned State counsel has submitted that since the petitioner came to be nominated as an accused pursuant to statement made by victim himself, his complicity is clearly evident. Learned State counsel has further submitted that since the victim has fully supported the case of prosecution while deposing in the witness box, the petitioner does not deserve any concession in the matter of grant of bail. It has further been informed that the petitioner has been behind bars since the last more than 2 years and as on date only 2 out of the cited 13 PWs have been examined. It has also been informed that the petitioner otherwise is not involved in any other case.
5. I have considered rival submissions addressed before this Court.

6. Without commenting anything as regards the merits of the case, but while noticing that the petitioner has been behind bars for a substantial period of 2 years and conclusion of trial is likely to consume time as only 2 out of the cited 13 PWs have been examined so far. The petitioner is stated to be not involved in any other case, further detention of the petitioner is not justified. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

27.7.2022
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No