

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

CRM-M-49180-2021 (O&M)

Date of decision: 10.01.2022

Amandeep Singh @ Cheena

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. G.S. Salana, Advocate for the petitioner.

Mr. Davinder Bir Singh, DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-43635-2021

Prayer in the application is for placing on record the DDR No. 28 dated 21.05.2021 (Annexure P-3), registered in FIR No. 98 dated 21.05.2021, registered under Sections 323, 341, 379-B, 506 and 34 IPC, at Police Station Fatehgarh Sahib, District Fatehgarh Sahib.

Notice of the application.

On the asking of this Court, learned State counsel accepts notice on behalf of the respondent-State and he submits that he has no objection, if the prayer is allowed.

In view of the above, the application is allowed. Annexure P-3 is taken on record.

Registry is directed to tag the same at an appropriate place.

CRM-43637-2021

Prayer in the present application is for amendment of the head note of the petition as Sections 411 and 325 IPC have been added subsequently in FIR No. 98 dated 21.05.2021, registered under Sections 323, 341, 379-B, 506 and 34 IPC, at Police Station Fatehgarh Sahib, District Fatehgarh Sahib.

Notice of the application.

On the asking of this Court, learned State counsel accepts notice on behalf of the respondent-State and he submits that he has no objection, if the prayer is allowed.

In view of the above, the application is allowed. The amended head note is taken on record and Registry is directed to tag the same at an appropriate place.

Main case:

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 98 dated 21.05.2021, registered under Sections 323, 325, 341, 379-B, 411, 506 and 34 IPC, at Police Station Fatehgarh Sahib, District Fatehgarh Sahib.

Learned counsel for the petitioner submits that as per the FIR, the petitioner was holding a stick in his hand and has given stick blows on the person of the complainant and his friend and along with co-accused has snatched the motor-cycle. The recovery of motor cycle has already been effected. It is a version and cross version case and it is yet to be ascertained by the trial Court on the basis of evidence as to which was the aggressor

party. DDR No. 28 dated 21.05.2021 (Annexure P-3), has also been registered in the present FIR by Sandeep Singh @ Deepa, co-accused of the petitioner, against the complainant party. The petitioner has been in custody since 28.09.2021.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner along with other co-accused have given beatings to the complainant and his friend and have snatched the motor-cycle. However, he does not dispute the custody period of the petitioner. He submits that challan stands presented and prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 28.09.2021. The recovery of motor-cycle has already been effected. It is a case of version and cross version. The prosecution witnesses are yet to be examined, therefore, the conclusion of the trial would taken a long time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

10.01.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No