

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

I) CRM-M-49632-2021 (O&M)

Sarabjeet Singh @ Sahab ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-50948-2021 (O&M)

Sagar Dhiman ... Petitioner

Versus

State of Punjab ... Respondent

III) CRM-M-51206-2021 (O&M)

Gagandeep Singh ... Petitioner

Versus

State of Punjab ... Respondent

IV) CRM-M-53386-2021 (O&M)

Karandeep Singh ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-2.6.2022

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Dhawan, Advocate
for the petitioner in CRM-M-49632-2021.

Mr. Sandeep Arora, Advocate
for the petitioner in CRM-M-50948-2021.

Mr. Ajay Kumar, Advocate for
Mr. Rishu Mahajan, Advocate
for the petitioner in CRM-M-51206-2021.

Mr. Ravi Malhotra, Advocate
for the petitioner in CRM-M-53386-2021.

Mr. A.A. Pathak, Addl.A.G., Punjab,
assisted by ASI Barjender Kumar.

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned four petitions filed on behalf of petitioners Sarabjeet Singh @ Sahab, Sagar Dhiman, Gagandeep Singh and Karandeep Singh seeking grant of regular bail in respect of a case registered vide FIR No.190 dated 7.9.2021, Police Station Rama Mandi, District Jalandhar, under Sections 392, 452, 336, 148 and 149 of Indian Penal Code and Sections 25 and 28 of Arms Act.
2. The FIR, in the present case, was lodged at the instance of Deepak Kumar, wherein it is alleged that he is running a factory under the name and style of 'M/s Vardhman Metal'. On 7.9.2021 at about 4:30 p.m., when he was present in his office, 3 young men with muffled faces entered his office out of which one was carrying a pistol, another was armed with a 'datar' while the 3rd one

was empty handed. It is further stated that another three of their associates were present outside on a motorcycle keeping vigil on the factory premises. It is alleged that the person holding pistol aimed the same towards his head and asked him to hand over cash. When the complainant tried to raise alarm, the said person fired a shot towards the floor in order to scare him and the said shot hit the footrest lying on the floor. Thereafter another of those boys took out cash amount of Rs.40,000/- lying in the safe and also took away the mobile phone lying on the table and thereafter they ran away from the spot.

3. Learned counsel for the petitioners have submitted that the petitioners have falsely been implicated in the present case and that none of them is named in the FIR and have been nominated subsequently either on the basis of their own disclosure statements or disclosure statement of co-accused. It has further been submitted that the petitioners Sagar Dhiman, Gagandeep Singh and Karandeep Singh have a clean record and that although petitioner Sarabjeet Singh @ Sahab is stated to be involved in one more case but the said case is under Arms Act. It has further been submitted that since the trial has not even commenced, the petitioners deserve the concession of bail.
4. On the other hand, learned State counsel has submitted that since during the course of investigation, sufficient evidence have been collected in the shape of recovery of pistol, motorcycle and cartridges from the accused, their complicity is clearly evident. It has, however, been informed that all the accused have been behind bars since the last more than 8 months and that charges are yet to be framed and as many as 12 PWs have been cited. It has also been informed that apart from petitioner Sarabjeet Singh @ Sahab, the

remaining three petitioners namely Sagar Dhiman, Gagandeep Singh and Karandeep Singh are not involved in any other case and that petitioner Sarabjeet Singh @ Sahab happens to be involved in one more case under Arms Act.

5. I have considered rival submissions addressed before this Court.
6. Without commenting anything as regards merits of the case but while bearing in mind the fact that the petitioners have been behind bars for a substantial period of more than 8 months and that conclusion of trial is likely to consume time inasmuch as the trial has not even commenced till date, in these circumstances, further detention of the petitioners would not be justified. All the four petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. A photocopy of this order be placed on the file of each connected case.

2.6.2022

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No