

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(I) CRM-M-1829-2022 (O&M)**

Rajinder Kumar @ Jyoti ...Petitioner

Versus

State of Punjab ...Respondent

(II) CRM-M-3551-2022 (O&M)

Manjinderjit Singh @ Chhinda ...Petitioner

Versus

State of Punjab ...Respondent

(III) CRM-M-4109-2022 (O&M)

Parvesh Kumar @ Parmesh Kumar Bangar ...Petitioner

Versus

State of Punjab ...Respondent

(IV) CRM-M-5818-2022 (O&M)

Ashwani Kumar @ Ashi ...Petitioner

Versus

State of Punjab ...Respondent

Date of Decision: 17.10.2022**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. Sushant Khatri, Advocate, for the petitioner
in CRM-M-1829-2022.Mr. J.S.Thakur, Advocate, for the petitioner/s
in CRM-M-3551-2022 & CRM-M-5818-2022.

Mr. Vinay Puri, Advocate, for the petitioner
 in CRM-M-4109-2022.

Mr. Luvinder Sofat, DAG, Punjab and
 Ms. Swati Batra, DAG, Punjab,
 assisted by ASI Gurdev Singh.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of aforesaid 4 petitions filed on behalf of Rajinder Kumar @ Jyoti, Manjinderjit Singh @ Chhinda, Parvesh Kumar @ Parmesh Kumar Bangar and Ashwani Kumar @ Ashi respectively, seeking grant of regular bail in respect of a case registered against them vide FIR No.132 dated 23.09.2021 at Police Station Division No.7, District Jalandhar, under Sections 420/379B/148/149/120-B/324/395 IPC.
2. As per the case of the prosecution, the complainant alleges that co-accused Ashwani represented to the complainant that he sends persons abroad and that in case the complainant wanted to send his nephew abroad i.e. to Canada, he could be sent for a consideration of Rs.11 lakhs. It is further the case of prosecution that the complainant being taken in by the said representation went to Baj Hotel Chhoti Biradri, Jalandhar, along with his friend Manish Kumar while taking an amount of Rs.11 lakhs with them. It is alleged that Ashwani Kumar along with his partner Parvesh Kumar and another unknown person were present there. Parvesh and the unknown person counted the money. Shortly thereafter another 5-6 persons armed with 'datars' are alleged to have entered the room and attacked the complainant and his friend. Manish Kumar @ Nannu Sapra on account of which sustained injuries. The accused snatched the bag containing currency notes and ran away from the spot.

3. Learned counsel for the petitioners have submitted that they have falsely been implicated in the present case and in fact petitioners, namely, Manjinderjit Singh and Rajinder Singh are not even named in the FIR.
4. Opposing the petition, learned State counsel has submitted that since petitioners, namely, Ashwani Kumar and Parvesh Kumar are specifically named in the FIR and the names of the remaining accused came to be known on the basis of their disclosure statements, the complicity of all the petitioners is clearly evident. Learned State counsel has, however, informed that while petitioner - Ashwani Kumar as on date has been behind bars since the last about 1 year & 18 days and happens to be involved in 1 more case, petitioner - Parvesh Kumar has also been behind bars for a similar period but is not involved in any other case. Manjinderjit Singh is stated to have undergone custody of about 11 months and 5 days and is not involved in any other case and Rajinder Singh is stated to have undergone custody of about 1 year & 14 days and is stated to have been involved in 4 other cases. Learned State counsel has also informed that as on date only 1 PW out of cited 17 PWs has been examined.
5. This Court has considered aforesaid rival submissions.
6. Without commenting anything as regards the merits of the case, but while noticing that all the petitioners have been behind bars for a substantial period of about 1 year and conclusion of trial is likely to consume time inasmuch as only 1 out of cited 17 PWs has been examined so far, further detention of the petitioners will not serve any useful purpose. All the 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 all the connected files.

17.10.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**