

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.261

Case No. : CRM-M-16422-2023

Date of Decision : May 22, 2023

Simranjeet Singh

.... Petitioner

vs.

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

* * *

Present : Mr. Gopal Singh Nahel, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

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GURBIR SINGH, J. :

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.08 dated 18.01.2023, under Sections 379-B, 323, 34 IPC (Sections 120-B, 148, 149, 411, 395, 473 IPC added later on), registered at Police Station City Sangrur, District Sangrur (Annexure P-1).

The case in question was registered at the instance of Tejinder Singh, who made statement that he was working as a CRO in Ujivan Small Faijaan Bank, Gaushala Road, Sangrur, which was providing loans to the customers and he used to collect installments from the borrowers. On 18.01.2023, he collected amount of Rs.2,83,303/- of installments from different customers and put the same in his bag. When he was returning on his motor-cycle, with his bag lying in front of his motor-cycle, then in front of Housing Board Quarters, Nabha Gate, suddenly a vehicle hit his motor-

cycle from behind. He, along with his motor-cycle, fell down and he saw that 3-4 unknown persons with muffled faces alighted from Figo car. One of them gave iron rod blow on his hip and the other slapped him and snatched his bag from his hand. Then, the assailants fled away in their car. He was got admitted in Civil Hospital, Sangrur by his Branch Manager. Thereafter, on 20.01.2023, he made statement that Jagsir Singh, an ex-worker and Gurvinder Singh, present employee in his bank were the assailants along with other unknown persons. Consequently, Jagsir Singh and Gurvinder Singh were arrested. During interrogation, Jagsir Singh made disclosure statement and nominated other accused including the petitioner. As per further allegations, he and petitioner were standing at the gate of village Ballian on motor-cycle and the other accused were standing near Gurudwara Nankiana Sahib in Figo car. He then sat in the car and motor-cycle was handed over to the petitioner. After occurrence, he received a sum of Rs.83,000/- from the looted amount. He came to Sangrur and gave Rs.6,000/- to the petitioner.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 20.01.2023. The only evidence against the petitioner is disclosure statement made by co-accused Jagsir Singh. There is no evidence that he has received the amount of Rs.6,000/- out of the looted amount. He has not participated in the crime in question. He has been falsely implicated.

On the last date of hearing, learned State Counsel was directed to file Status Report.

In compliance of the aforesaid order, Status Report by way of

an affidavit of Ajaypal Singh, PPS, Deputy Superintendent of Police, Sub Division Sangrur, on behalf of State of Punjab, has been filed, which is ordered to be taken on record.

Learned State counsel, while opposing the bail petition of the petitioner, has submitted that from the statement of co-accused Jagsir Singh, it is proved that the petitioner is also part of their gang and has actively participated while committing the crime. However, he has fairly conceded that he is in custody since 20.01.2023.

Heard.

In view of the aforesaid facts and circumstances of the case, it is clear that at this stage, the only allegation against the petitioner is disclosure statement made by a co-accused to the effect that the petitioner has helped in committing the crime and Rs.6,000/- was given to the petitioner in lieu of that. No other evidence has yet been collected against the petitioner. The culpability of the petitioner shall be decided during the trial of the case. No useful purpose would be served by keeping him behind the bars.

Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

May 22, 2023
monika

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.