

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18436-2023 (O&M)
Date of decision: 24.04.2023

Jassi Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. D.S. Walia, Advocate
for the petitioner.

Mr. Teevar Sharma, AAG, Punjab
assisted by ASI Devinder Singh.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this 2nd petition is for grant of regular bail in FIR No.261 dated 02.12.2021 under Sections 379, 420, 465, 467, 471, 473, 120-B IPC, registered at Police Station Samrala, District Ludhiana; earlier one was dismissed as withdrawn on 23.05.2022.

Learned counsel for the petitioner submits that new ground for filing this second petition is that the petitioner is in custody since 02.12.2021 and about 01 year and 04 months has lapsed and till date, only 01 PW has been examined and the trial is delayed due to submission of fresh challan and reframing of charges.

Brief facts of the case are that complainant/ASI Shamsher Singh, while on patrol duty, received a secret information that Jassi (petitioner), Rinku, Shampy, Prashant and Darshan @ Laddi along with their friends have made a group and they are indulged in committing the theft of vehicles/tippers from different places and thereafter, they sell the same by preparing the forged documents. On receiving such information, FIR was registered and thereafter, the petitioner was arrested.

Learned counsel for the petitioner submits that as per disclosure statement of the petitioner, one vehicle was recovered and challan has already been presented.

Learned State counsel has, however, submitted that the petitioner is involved in two more FIRs under Section 379 IPC and one tipper was recovered on the basis of his disclosure statement. It is further submitted that in case the petitioner is released on bail, he can commit such or similar offence again. However, it is not disputed that on submission of supplementary challan, charges were re-framed and thereafter, the case was fixed for recording the prosecution evidence and out of total 08 prosecution witnesses, only 01 PW has been examined so far and the petitioner is in long custody of about 01 year and 04 months and is on bail in one case. It is also not disputed that one co-accused of the petitioner, namely Darshan Ram already been granted the concession of anticipatory bail by this Court vide order dated 02.04.2022 passed in CRM-M-17-2022.

After hearing learned counsel for the parties, without commenting

anything on merits of the case and considering aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

24.04.2023
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No