

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:059924
CRM-M-19915-2023
Date of Decision: April 27, 2023

Simranjit Singh alias Sunny and another ...Petitioners

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rajiv Joshi, Advocate for the petitioners.

DEEPAK GUPTA, J.(Oral)

The two petitioners have prayed for grant of regular bail in case FIR No.157, dated 25.12.2022, registered at Police Station Meharban, District Ludhiana, under Section 379-B of IPC (Sections 395, 411 IPC and Section 25 of the Arms Act added later on).

FIR was lodged on 25.12.2022 on the complaint of one Vivek, as per which on that day he was present at his office of Dream City Property, village Noorwala, Ludhiana, when at about 1.50 p.m., two unknown youths entered his office, followed by three other unknown persons. All of them gave beatings to him and took away ₹80-90,000/- from the drawer. One of the culprits was holding pistol and others had knife/datar.

Learned counsel for the petitioners has pointed out that in the FIR lodged on the statement made on 25.12.2022, complainant did not name anyone to be the culprits, but surprisingly after 5 days of the incident, on 30.12.2022, he made supplementary statement (Annexure P-4), stating therein that as per his inquiry, he had found that 5 unknown youths, who had entered his office with weapons, were Karan Kohinoor, Rajan Kumar @ Raja (petitioner No.2), Sunny Kumar S/o Dharmesh, Simranjit Singh @ Sunny (petitioner No.1) and Deepak Kumar.

Learned counsel contends that in case, the petitioner knew the culprits, he would have named them on 25.12.2022 itself. If he did not know them, he would have disclosed the source of his information as to how he came to know about the names of the culprits including the petitioners. Learned counsel has also drawn attention towards the final report under Section 173 Cr.P.C. filed by the police, as per which the recovery of money has been shown from the petitioners on the basis of disclosure statements suffered by them.

Notice of motion.

Mr. Parneet Singh Pandher, AAG, Punjab accepts notice on behalf of the respondent-State.

Learned State counsel concedes the position that except for the disclosure statement and recovery based thereon, there is no other incriminating material against the petitioners.

As per the custody certificates placed on record by learned State counsel, petitioner No.1-Simranjit Singh @ Sunny is in custody in this case for the last 3 months and 24 days with involvement in one more case arising out of FIR No.370, dated 01.01.2017, under Sections 307, 324, 452, 363, 511, 148 and 149 of IPC at Police Station Phillaur, but has been acquitted in that case. Petitioner No.2-Rajan Kumar @ Raja is in custody in this case for the last 3 months and 25 days. He is involved in one more case under Sections 302, 201 and 120-B IPC arising out of FIR No.212, dated 06.12.2017, registered at Police Station Basti Bawa Khel Jal, but he is on bail in that case.

Having regard to the factual position as above and the fact that the trial may take time to conclude, but without commenting anything further on the merits of the case, both the petitioners are admitted to regular bail and they are ordered to be released on bail on their furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned.

Allowed.

April 27, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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