

CRM-M-25641-2023 and other connected case -1- 2023:PHHC:149561

**214+216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of Decision: 23.11.2023

(i) CRM-M-25641-2023

Ravinder Singh @ Goldy ...Petitioner

vs.

State of Punjab ...Respondent

(ii) CRM-M-41219-2023

Devinder Singh alias Billa ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. A.P.Kaushal, Advocate
for the petitioner in CRM-M-25641-2023.

Mr. Rajesh Chaudhary, Advocate
for the petitioner in CRM-M-41219-2023

Mr. Amish Sharma, Assistant Advocate General, Punjab and
Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. This order shall dispose of two petitions i.e. CRM-M-25641-2023 titled as Ravinder Singh @ Goldy vs. State of Punjab and CRM-M-41219-2023 titled as Devinder Singh alias Billa, whereby the petitioners, namely, Ravinder Singh @ Goldy and Devinder Singh alias Billa have prayed for grant of regular bail in case arising out of FIR No.16 dated 25.01.2022 under Sections 379-B, 34 IPC (Section 201 IPC added later on) registered at Police Station Punjab Agricultural University, District Ludhiana.

2. The FIR in the present case was got registered by Rai Bhan, who was working at the liquor vend in Rishi Nagar, Ludhiana. At about 4.45 p.m. on 25.01.2022, 3-4 persons in a white car came at his liquor vend and on their demand, he had handed over them 4 bottles of liquor and when he demanded price of the bottles, the persons called the other occupants of the car. One of the accused had showed him pistol like weapon and after giving him beatings, they had taken away Rs.25,000/- from the cash box and snatched the bottles of whiskey and fled from the spot.

3. Learned counsel for the petitioners submit that the petitioners were not named in the FIR and there was no averments in the FIR, which even remotely connected with the petitioners to the alleged crime. They further submit that the petitioners were arrested in the present case on 27.03.2023 and are in custody since then. They further contend that they have been falsely implicated after more than one year and two months of the alleged occurrence. Apart from that, the trial in the present case is proceeding at snail's pace and even charges have not been framed against the petitioners in this case. Thus, the conclusion of the trial may take a long time.

4. On the other hand, learned State counsel has opposed the prayer made by learned counsel for the petitioners on the ground that Ravinder Singh @ Goldy is facing four more criminal cases, whereas, Devinder Singh alias Billa is facing three more cases. However, learned State counsel admits that the petitioners are on bail in all these cases.

5. I have heard learned counsel for the parties and perused the record.

6. It is not in dispute that the petitioners are in custody for the last

about 8 months and even charge has not been framed against the petitioners. Still further, since the petitioners are facing prosecution in other criminal cases and the learned State counsel has expressed the apprehension that the petitioners may repeat the crime, it would be appropriate to impose stringent conditions on them, while enlarging them on bail.

7. Without commenting on the merits of the case, the present petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

- (i) *The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade them to disclose such facts to the Court or to any other authority.*
- (ii) *The petitioners shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) *The petitioners shall not absent themselves from the Court proceedings except on the prior permission of the Court concerned.*
- (iv) *The petitioners shall surrender their passport, if any, (if already not surrendered), and in case they are not holder of the same, they shall swear an affidavit to that effect.*
- (v) *The petitioners shall also file their affidavits before the concerned Court, mentioning their ordinary place of residence and number of mobile phone, which shall be used by them during the pendency of the trial. In case of change of place of residence/mobile number, they shall share the details with the concerned Court/learned Trial Court.*
- (vi) *In case, the petitioners involve in any other criminal*

activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty to move a petition for cancellation of bail granted to him.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bail bonds and surety bonds of the petitioners.

(viii) The petitioners shall report every 1st Monday of English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark their presence by making an entry in the rojnamcha. In case, they do not report on every 1st Monday before the concerned SHO, it shall be viewed seriously and the concession granted to them shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.

23.11.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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