

CRM-M-41042-2023
Date of decision: 29.11.2023

Versus

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Ms. Navreet Kaur Barnala, AAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present FIR was lodged on the statement of Narinder Singh. It is alleged that the complainant is engaged as Loan Officer in L & T Finance Company at Abohar, the office of his Company is at upper floor of CANARA Bank near Shanker Market, Sethi Palace at Abohar. On 10.04.2023, at about 11:30 A.M., he was riding on his motorcycle bearing registration No.PB-30U-9376 YVS SPORTS after collecting the amount of Rs.1,43,000/- of his Company, when he was going towards the village Bahadur Khera and then on the way, three young boys riding on a motorcycle with their faces covered with

CRM-M-41042-2023

-2-

(parna) crossed his motorcycle, in a high speed and reached opposite the grain market of village Bahadur, when they were about to give blow of *danda* to him, the Bag put on his shoulders containing purse of the complainant, important papers and an amount of Rs.1,43,000/- was snatched by them. Thereafter, the complainant gave this information to Raju Yadav, Area Manager of his Company and on conducting enquiry, he came to know the names of accused persons were Gurwinder Singh, Satnam Singh and Satpal Singh residents of Village Dabwali Dhab.

Learned counsel for the petitioner *inter alia* contends that out of the alleged amount of Rs.97,750/-, an amount of Rs.70,150/- already stands recovered. The petitioner is behind the bars since 11.04.2023. The similarly situated co-accused, namely, Satpal Singh @ Harman and Gurwinder Singh @ Ginder, have been granted the concession of regular bail by this Court vide order dated 12.10.2023 passed in CRM-M-40839-2023 titled as 'Satpal Singh @ Harman Vs. State of Punjab' and vide order dated 16.10.2023 passed in CRM-M-47807-2023 titled as 'Gurwinder Singh @ Ginder Vs. State of Punjab', respectively.

Per contra, the learned State counsel, on instructions opposes the grant of regular bail to the petitioner on the ground that he is involved in two more cases and is a habitual offender, as such, he does not deserve the concession of regular bail.

Having heard learned counsel for the parties and after perusing the records of the case, it transpires that the petitioner is behind the bars since 11.04.2023. Investigation is complete. The final report under Section 173

Cr.P.C. was presented before the concerned Court on 03.06.2023 and trial of the

CRM-M-41042-2023

-3-

case has not made much progress as none out of 11 prosecution witnesses have been examined so far. The culpability, if any, would be determined at the time of trial. No useful purpose shall be served by further detention of the accused/petitioner.

Keeping in view the law laid down by the Hon'ble Supreme Court of India in 'Prabhakar Tewari Vs. State of U.P. and another' 2020 (1) R.C.R. (Criminal 831) and 'Maulana Mohd. Amir Rashadi Vs. State of U.P. and Another', 2012 (2) SCC 382, the involvement of the petitioner in other cases would not be a ground to refuse grant of concession of regular bail.

In view the above, the present petition is allowed. Thus, without commenting upon the merits of the case lest it may prejudice the outcome of the trial, the petitioner-Satnam Singh is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

29.11.2023
Neha

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