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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39531-2023
Date of decision: 18.08.2023

JASWINDER SINGH ALIAS JASS BHANGU

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Satnam Singh Gill, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, Senior DAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.87 dated 05.06.2023, under Sections 379, 397, 398, 401, 411 and 473 of the IPC, registered at Police Station Passiana, District Patiala, Punjab.

2. Learned counsel for the petitioner has submitted that the petitioner is in custody for about 2 months and 9 days and the investigation of the case has already been completed and, thereafter, challan has also been presented. He further submitted that even as per the allegations, no overt act has been committed by the petitioner or any of the other co-accused and the said FIR was lodged on the basis of suspicion that the petitioner and the other co-accused were planning to commit robbery etc. with some deadly weapons. He further

submitted that although one knife has been shown to be recovered from the petitioner but the petitioner has been falsely implicated in the present case. He further submitted that the petitioner has clean antecedents and he is not involved in any other case. He further submitted that the allegations against the petitioner were that the petitioner along with the other co-accused was earlier also doing the similar acts of snatching but in fact the aforesaid allegations against the petitioner are totally contrary to the record because the petitioner is not a habitual offender and he is not involved in any other case at all and, therefore, he may be considered for grant of regular bail.

3. On the other hand, Mr. Ramdeep Partap Singh, Senior DAG, Punjab has filed the custody certificate of the petitioner in Court today and the same is taken on record. As per the custody certificate, it is stated that the petitioner is in custody for about 2 months and 9 days and the learned State counsel has submitted that he has sought specific instructions from the concerned police official, who has stated that the petitioner is not involved in any other case. He further submitted that it is a case where the petitioner along with other co-accused was planning to commit robbery and from the petitioner there was a recovery of one knife and one motorcycle. He further submitted that the investigation of the case has already been completed and the challan has also been presented.

4. I have heard the learned counsel for the parties.

5. It is a case where the petitioner is in custody for about 2 months and 9 days but as per the allegations, no overt act has been committed by the petitioner and other co-accused persons and they were apprehended on the basis

of suspicion that they would be committing dacoity. As per the learned counsel for the parties and the custody certificate filed by the State, the petitioner is not involved in any other case. Investigation of the case has already been completed and challan has also been presented. In view of the aforesaid facts and circumstances, this Court is of the view that the present petitioner deserves the concession of regular bail.

6. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

18.08.2023
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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