

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1. CRM-M-51860-2023
2023: PHHC:148312

HARBHAJAN SINGH @ BHANA Petitioner
Vs.
STATE OF PUNJAB Respondent

2. CRM-M-53403-2023
2023: PHHC: 148313

HARPREET SINGH @ MANPREET SINGH @ BOORA Petitioner
Vs.
STATE OF PUNJAB Respondent

3. CRM-M-53435-2023
2023: PHHC: 148314

SEWAK SINGH @ PHOLI Petitioner
Vs.
STATE OF PUNJAB Respondent

4. CRM-M-53440-2023
2023: PHHC: 148315

RAMANDEEP SINGH @ RAMNI Petitioner
Vs.
STATE OF PUNJAB Respondent

Date of Decision: 21.11.2023

CORAM: HON’BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Aman Mittal, Advocate and
Mr. Simranjit Singh, Advocate, for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.

This order shall dispose of four petitions titled above, as in all of them, petitioners have prayed for their release under Section 439 CrPC as under trial in case FIR No.188 dated 27.07.2023 registered at Police Station Sadar, Mansa under Sections 379B IPC (Sections 394, 411 & 323 IPC added later on).

2. As per prosecution allegations, on 24.07.2023, at about 10.30 PM, complainant Gurdeep Singh was going on his motorcycle towards village Mal Singh Wala. As he reached at a distance from a motel, in between Barnala and Village Khara via Link Road, suddenly 5 youngsters armed with wooden sticks pounced upon him, snatched his mobile make Vivo having SIM No.9779439619 and further snatched ₹5000/- from his back pocket and gave him beatings with sticks. On the alarm raised by him, his elder brother Krishan Singh reached there, at which all the assailants/snatchers fled away.

3. On the statement made by complainant Gurdeep Singh on 27.07.2023, FIR was lodged. During investigation, names of Harpreet Singh @ Manpreet Singh @ Boora son of Gurdev Singh (*petitioner in CRM-M-53403-2023*), Harbhajan Singh @ Bhana son of Pritam Singh (*petitioner in CRM-M-51860-2023*), Harbhajan Singh @ Bhajani son of Pargat Singh, Ramandeep Singh @ Ramni son of Kuldeep Singh (*petitioner in CRM-M-53440-2023*) and Sewak Singh @ Pholi son of Dulla Singh (*petitioner in CRM-M-53435-2023*), all residents of village Barnala appeared, who were arrested on 29.07.2023. The mobile phone of

complainant was recovered from Harbhajan Singh @ Bhajani; and motorcycle was recovered from Sewak Singh @ Pholi.

4. It is contended on behalf of all the petitioners that they have been falsely implicated; that recovery has been planted upon them; that FIR was lodged after 3 days delay against unknown persons with muffed faces and there is no evidence regarding the identification.

5. Ld. State counsel opposed the bail petition by pointing out towards the nature of allegations. However, ld. State counsel could not dispute the fact that FIR was against unknown persons, who had pounced upon the complainant in muffed faces and that FIR has been lodged after three days delay. Trial may take time to conclude.

6. Having regard to all the facts and circumstances as noted above, but without commenting anything further on merits of the case, petitioners are admitted to regular bail on their furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Accordingly, all the petitions are allowed.

Any pending application(s), if any, shall stands disposed of.

A photocopy of this order be placed on the file of other connected cases.

21.11.2023
Vivek

(DEEPAK GUPTA)
JUDGE

1. Whether speaking/reasoned?	Yes
2. Whether reportable?	No