

IN THE HIGH COURT OF PUNJAB & HARYANA

AT CHANDIGARH

Date of decision: 17th January, 2023

(1) CRM-M-53496 of 2022

Karanbir Singh @ Karan

Petitioner

Versus

State of Punjab

Respondent

(2) CRM-M-58028 of 2022

Rajbir Singh

Petitioner

Versus

State of Punjab

Respondent

(3) CRM-M-55644 of 2022

Gurlal Singh @ Gala

Petitioner

Versus

State of Punjab

Respondent

(4) CRM-M-56341 of 2022

Harsimranjit Singh @ Simmu

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Ashish Aggarwal & Mr. Umesh Aggarwal, Advocates
the petitioners.

Mr. Iqbal Singh Mann, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

CRM-M-53496 of 2022, CRM-M-55644 of 2022 CRM-M-56341 of 2022 are second petitions seeking regular bail in FIR No. 100 dated 17.4.2021, under Section 379-B(2), 506, 34 IPC (Sections 452, 392 IPC and Sections 25 and 27 of the Arms Act, 1959 added later on), registered at Police Station Jandiala, District Amritsar Rural.

CRM-M-58028 of 2022 is the fourth bail petition in the said FIR.

The earlier petitions were dismissed as withdrawn.

The brief facts are that FIR was registered at the instance of Damanjit Singh. It was alleged that on 16.4.2021, two youngsters with muffled faces came to his restaurant and at the gun-point took away Rs.16,500/- from the counter. A third person with muffled face was standing outside the restaurant. The incident was recorded in CCTV camera. During investigation-petitioner Rajbir Singh was arrested on 23.4.2021 and on his disclosure, the co-accused (other petitioners) were nominated and arrested. A .32 bore pistol was recovered from petitioner-Karanbir Singh @ Karan and Harsimranjit Singh, currency allegedly taken away from the restaurant was also recovered.

Learned counsel for the petitioners submits that the petitioners-Karanbir Singh, Rajbir Singh, Gurlal Singh and Harsimranjit Singh are in custody since 25.4.2021, 23.4.2021, 27.4.2021 and 25.4.2021 respectively and investigation is complete. It is further submitted that the recovery made from the petitioners no where relates them to the offence. The contention is that material witnesses have not identified the petitioners in court proceedings and the petitioners are not involved in any other case.

Learned counsel for the State opposes the prayer for grant of

bail however on instructions from ASI Nirmal Singh is not disputing that material witnesses have not identified the petitioners in court proceedings and they are not involved in any other case.

Without commenting on the merits of the case and considering that conclusion of trial is likely to take time, the petitioners have no criminal antecedents and no further recovery is to be made, the petitioners are granted bail subject to their furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petitions are allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Photocopy of the order be placed on the file of each connected case.

[AVNEESH JHINGAN]
JUDGE

17th January, 2023
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1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No