

228 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56818-2023

Date of Decision: 17.11.2023

Pardeep Singh @ Billa

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.ShekhawatPresent : Mr. Mohd. Jameel, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail to him in case FIR No.115 dated 30.08.2023, registered under Sections 341, 323, 379-B, 506, 34 of IPC (later on Section 34 of IPC was deleted and 148, 149 IPC has been added) at Police Station Amargarh, District Malerkotla.

2. The FIR in the present case was registered against the accused on the basis of the complaint filed by Jaspal Singh. On 13.08.2023, the complainant had gone to Patiala to see his sister and on the way, at about 4/4.30 p.m., he reached village Manvi on foot. In the meantime, a Scorpio vehicle reached there and stopped near the complainant. Four persons, namely, Gursharan Singh @ Sharni, Gurmukh Singh, Pardeep Singh @ Billa (petitioner) and Robin came out of the said vehicle. Robin was armed with a baseball bat and they all encircled Jaspal Singh and started beating Jaspal Singh with fists blows and baseball bats. Gurmukh Singh had taken out Ray Ban company goggles from the left pocket of the complainant and also snatched a sum of Rs. 22,000/-from the pocket of the pent of the complainant. When the complainant raised noise to save him, the accused fled from the spot.

3. Learned counsel for the petitioner contends that the petitioner was arrested in the present case on 31.08.2023. He next contends that the occurrence had taken place on 17.08.2023 and the FIR in the present case was got registered by the complainant after confabulations and due deliberations on 30.08.2023 and no explanation has been offered by the complainant for the delay in registration of the FIR. He further contends that similarly placed co-accused, Shiv Kumar has already been granted the concession of regular bail vide order dated 07.11.2023 in CRM-M-54598 of 2023 passed by this Court.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

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

6. It is not in dispute that the alleged occurrence had taken place on 17.08.2023, whereas, the matter was reported to the police by the complainant on 30.08.2023 after long and unexplained delay. The petitioner was arrested on 31.08.2023 and is in custody for the last more than 02 months.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

(N.S.SHEKHAWAT)
JUDGE

17.11.2023
hemlata

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