

2023:PHHC:146064

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-56981-2023

Date of decision : 17.11.2023

Prince**..... Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. A.S. Manaise, Advocate
for the petitioner.

Mr. Jaswinder Singh Arora, DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.3 dated 25.01.2023, registered for the offences punishable under Sections 379-B(2), 395, 411, 452, 323, 324, 506, 380, 148 and 149 of IPC at Police Station Ghanie Ke Bangar, Police District Batala, District Gurdaspur.
2. FIR was registered on the basis of statement of Pargat Singh son of Mukhtiar Singh, wherein it has been alleged as under:-

“Statement of Pargat Singh son of Mukhtiar Singh, resident of Bishniwal, aged about 60 years, Mobile No.99886-47620. Stated that I am a resident of above said address. Today on 25.01.2023 at about 6/7 PM, I along with my wife Sharanjit Kaur was present in my house when Harjot Singh @ Jota son of Jaspal Singh of my village along with his son Ritikpreet Singh and 4/5 unknown persons came to my house. The very moment, he gave a blow of

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kirch to me which hit behind my left ear. I put my head down in order to save myself, upon which he came forward to hit my wife but my wife stepped back to save herself. Then Ritikpreet Singh son of Harjot Singh gave fist blows to my wife and after searching my bed, took away Rs.1/1.25 Lac cash along with Canadian dollar worth Rs.5000/- and one Apple mobile sent by my daughter from Canada. I raised cries upon which persons passing in the street namely Sukhraj Singh son of Dalbir Singh, Rajinder Singh son of Tarlok Singh, Amarpal Singh son of Mohinder Singh and Jagmohan Singh son of Gurmeet Singh, residents of Bishniwal came to my house. At this, Harjot Singh along with his accomplices fled away from the spot. The bone of contention is that our land is adjoining the land of Harjot Singh, who was stopped from removing the boundary/vatt, due to this today he has entered in our house and have given our beatings and has taken away our articles. Legal action be taken against above said persons. Statement has been heard, is correct.”

3. Counsel for the petitioner submits that the FIR was registered against unknown persons alongwith Harjot Sing Singh @ Jota and Ritikpreet Singh. Though, there is no allegation that any of the accused was armed with datar. The petitioner is being apprehended and a datar is shown to have been recovered from the petitioner.

4. Petitioner is behind bars since 11.07.2023. Investigation already stands concluded and the custody of the period cannot be prolonged as a punitive measure.

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5. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

17.11.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No