

227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2270-2024
Date of decision : 12.03.2024

SAHILPREET SINGH @ SAHILPetitioner

Versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Angel Walia, Advocate
for the petitioner (through V.C.)

Mr. Mohit Kapoor, Sr. DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.68 dated 08.09.2023 registered for the offences punishable under Section 379-B(2) IPC (Section 201/34 IPC added later on) at Police Station Tarsikka, District Amritsar, Punjab.

2. FIR was registered on the statement of Sajan son of Prem Masih who alleged as under :

“xxx I am a resident of the said address and working as a Sangam Manager (SM) in Bharat Finance Inclusion Limited Company in Baba Bakala Sahib branch. Our company provides group loans to women in villages and cities through Sangam Managers on a weekly basis and weekly installments of the loans are also collected by Sangam Managers. Yesterday on 07-09-2023, when I reached village Sangrava on my motorcycle number PB57-3604

Splendor like everyday to give loan on weekly basis and to collect the loan installments that have already been given while driving through village Jaspal, village Kot Khaira. Then someone called me on my mobile number 94176- 88965 and told to me "that the installment which used to be collected in Kot Khare for 1000 rupees, you should come to bridge at Sua Dehriwal Saran and take that installment" on which, as told by that person, I reached at the bridge of Sua Dehriwal Saran, a haircut young man was seen waiting on bridge of Sua Dehriwal Saran with his face covered with an orange cloth. When I reached near him, then firstly he turned his iphone switched off and when I asked him that he made the phone call, the young man said that I don't know anything, the time would be around 2.30 PM. That two Sardar young men, had came from the Sangrava side on a motorcycle, whose make and model could not be identified. The motorcycle rider had also covered his face with an orange cloth and the young man sitting behind the motorcycle was holding a knife (Datar) in his hand, stopped near me, the pillion rider of the motorcycle got off and the said persons started hitting me with their knife (datar) from back side on my left elbow and left arm, which caused heavy injuries to wrist of my left arm and waist, and other two young men snatched my bag containing the money collected in weekly installments i.e. about 28/29000/-, Samsung mobile with number 94176-88965, one Samsung company tab, one biometric machine, charger tab, mobile charger, my purse containing Rs.2000, my PAN card, my Aadhaar card and the said three young men ran towards village Sangrava side on their motorcycle. Out of these three, I can recognize one young man on seeing. Then I took a mobile phone from a passerby and described the whole thing to Sukhwinder Singh son of Angrej Singh resident of village Silwali, district Muktsar, who is manager of Baba Bakala Sahib branch of our company, who later came to me and took me to Civil Hospital Tarsikka for treatment, where doctor was not available on duty, and I was referred to Guru Nanak Hospital, Amritsar, but we went to Beas Hospital, at where, the authorities told us to come on the next day, at where my treatment, X-Ray etc. is going on. Due to which, I hadn't come to the police

station to report the same. Today, I was coming to Tarsikka police station to take legal action against the accused, but I met you on the way. I will present all the records related to the snatched money, the bills related to the stolen goods and the medical records related to my injuries later. Legal action should be taken against the culprits. Statement readed over, which is correct. SD/- Sajjan
xxx

3. The allegation against the petitioner is that he along with co-accused snatched Rs.28/29,000/- from the complainant and from the petitioner it is claimed that the motorcycle used in occurrence along with one *datar* was recovered.

4. Counsel for the petitioner submits that the investigation stands concluded and challan stands presented on 24th of November, 2023. Leave aside the examining the witnesses, even the charges could not be framed till now. Thus, trial is not likely to conclude in near future and the custody of the petitioner should not be allowed to be prolonged as a punitive measure.

4. State Counsel is not in posititon to dispute the factual assertions made by counsel for the petitioner based on record.

5. Custody certificate has been produced. As per which the petitioner has suffered incarceration for more than 5 months and 14 days and has clean antecedents.

6. I have heard counsel for the parties and have gone through records of the case.

7. Without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner and the nature of

allegations, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

March 12, 2024	(Pankaj Jain)
Dpr	Judge
Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No