

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

CRM-M-2459-2024
Date of Decision:23.01.2024

Tegwinder Singh @ Jagga

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Harjot Singh Mann , Advocate
for the petitioner.

KARAMJIT SINGH, J.

1. Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in criminal case having FIR No.0041 dated 26.06.2023 registered for the offences punishable under Section 379(b)(2) of IPC and Section 25 and 27 of Arms Act and Sections 224 of IPC and Section 54 and 59 of Arms Act (added later on) at Police Station Mehta, District Amritsar Rural.
2. Notice of motion.
3. Mr. Jaiteshwar S. Bhandari, AAG, Punjab accepts notice on behalf of the State and produced custody certificate of the petitioner which is taken on record.
4. The counsel for the petitioner while praying for grant of regular bail to the petitioner, *inter alia* submits that the FIR in this case was registered against three unknown persons who snatched Rs.20,000/- from the salesman of Iqbal Filling Station, Village Usma, Police Station Mehta and at the time of said incident one of the miscreants also fired shot and then they escaped from there.

5. The present petition is resisted by the State counsel who submits that there are allegations that the petitioner supplied firearm which was used by co-accused-Jagdish Singh while snatching Rs.20,000/- from salesman of petrol pump. The State counsel further submits that the petitioner is also involved in four other criminal cases and was arrested in the present case on 21.09.2023. The State counsel further apprised the Court that during investigation no weapon was recovered from the petitioner but the weapon supplied by the petitioner was recovered from possession of co-accused-Jagdish Singh and that after completion of investigation the police has presented the challan but till date no prosecution witness has been examined, after the charges were framed against the accused persons.

6. I have considered the submissions made by the counsel for the parties.

7. Admittedly, the FIR in this case was registered against three unknown persons who snatched Rs.20,000/- from salesman of a petrol pump and one of them also used firearm at the time of said incident. The allegations against the petitioner are that he supplied the aforesaid firearm to the snatchers and the said firearm was later on recovered from co-accused. The petitioner is in custody for the last more than 4 months and after completion of investigation, police presented the challan and charges were also framed but till date no prosecution witness is examined.

8. As per the custody certificate furnished by the State counsel, petitioner is on bail in other 3 criminal cases faced by him. It will take considerable time for the trial to conclude. Thus, no useful purpose is going to be served by prolonging the judicial custody of the petitioner for any

further period.

9. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned. The petitioner is to be released by the jail authorities in case he is not required by the police in any other criminal case.

23.01.2024
Priyanka Thakur

Whether speaking/reasoned
Whether reportable

(KARAMJIT SINGH)
JUDGE

Yes/No
Yes/No