

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211 CRM-M-6261-2024 (O&M)
Date of Decision:06.05.2024

PARAMJIT SINGHPetitioner
Vs.
STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kuldip Singh, Advocate 6
for the petitioner.
Mr.Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J.(ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No.210 dated 19.10.2023, under Sections 392, 506 and 34 IPC, registered at Police Station Guruharsahai, District Ferozepur.

2. Status report dated 23.04.2024 by way of affidavit of Shri Atul Soni, PPS, Deputy Superintendent of Police, Sub Division Guruharsahai, District Ferozepur has already been filed on behalf of the respondent-State, received through Registry, which is taken on record.

3. As per the allegations, on 19.10.2023, Sita wife of Davinder Pal Singh along with her husband and one Rinku had gone to the house of her maternal uncle Joginder Singh, when three unidentified persons with muffled faces, one of whom was having pistol, asked them to handover the amount otherwise they will be killed. It is alleged that Joginder Singh (co-accused) took the amount ₹29 lakh from the bed box and then unidentified persons snatched that amount and fled away.

4. As per the status report, on the basis of secret information, Joginder Singh was apprehended, who nominated the petitioner to be one of the snatchers

and that after the petitioner was apprehended, an amount of ₹8 lakh was recovered from him.

5. Ld. counsel contends that petitioner has been falsely implicated; that co-accused-Joginder Singh has already been allowed bail by the Court of Sessions vide order dated 30.01.2024 (Annexure P2); that petitioner is in custody for the last more than 5 months and trial may take time to conclude; that the case is triable by Magistrate and so, he be allowed bail.

6. Ld. State counsel opposed the petition by submitting that name of the petitioner has surfaced in the disclosure statement of co-accused Joginder Singh and that recovery of an amount has been effected from him. However, ld. State counsel concedes the fact that it will be a matter of trial as to whether the amount of ₹8 lakh, as recovered from the petitioner, is connected with the snatched amount or not.

7. As per the custody certificate, petitioner is in custody for the last 5 months and 25 days; though he is involved in two more cases, which pertain to the NDPS Act. Case is triable by Magistrate and trial may take time to conclude.

8. Ld. State counsel on instructions from ASI Tarlok Singh also informs that although challans has been filed in Court, but charges are yet to be framed. Thus trial is likely to take long time to conclude.

9. Having regard to all the facts and circumstances, but without commenting anything further on merits of the case, petition is allowed. Petitioner is admitted to regular bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned, on usual terms and conditions.

06.05.2024

(DEEPAK GUPTA)
JUDGE