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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-13902-2024
Date of decision:-10.05.2024

HARMANPREET SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. J.S. Sandhu, Advocate for the petitioner.
Mr. Adesh Pal Singh, AAG, Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
104	11.08.2023	395, 307, 353, 188, 332 IPC (25 of Arms Act, added lateron)	Cantt. Bathinda, District Bathinda.

2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that no specific overt act has been attributed to the petitioner and after his arrest on 18.08.2023 no recovery has been effected from the petitioner and has no concern whatsoever with the allegations levelled in the present FIR. He contends that co-accused Vishal Kumar alias Lala from whom there was a recovery of country made pistol, Vivek Kumar @ Chocha



and Honey Singh @ Babbu have already been granted concession of regular bail by learned trial Court vide order dated 24.01.2024 and 15.02.2024 respectively and Surjit Singh @ Sonu @ Surjeet Singh has been granted concession of regular bail by this Court vide order dated 30.01.2024 passed in CRM-M-65223-2023, as such he prays for grant of concession of bail to the petitioner.

3. On the other hand, learned State counsel has assailed the arguments by submitting that the petitioner is involved in heinous crime and as such he is not entitled for concession of bail.

4. After considering the rival contentions and going through the record, it transpires that instant FIR was registered against unknown persons, who in a black Skoda car, were trying to commit looting and snatching from passerby and when the police party reached the spot on receiving information, the assailants snatched SLR rifle from PHG Davinder Kumar and ran away and on the basis of statement of informant, accused were nominated and arrested in this case. Admittedly petitioner is not having any criminal antecedents nor any recovery has been effected from him in this case. It is not disputed that co-accused Vishal Kumar alias Lala, Vivek Kumar @ Chocha and Honey Singh @ Babbu have already been granted concession of bail by learned trial Court vide order dated 24.01.2024 and 15.02.2024 respectively and Surjit Singh @ Sonu @ Surjeet Singh has been granted concession of regular bail by this Court vide order dated 30.01.2024 passed in CRM-M-65223-2023. The petitioner is in custody since 18.08.2023, challan has already been presented in Court, meaning thereby,



the petitioner is not required for further interrogation. The conclusion of trial in the present case to ascertain criminal liability, if any, may take sufficient long time and no useful purpose would be served by keeping the petitioner behind bars any longer.

5. Resultantly, without commenting on the merits of the case, it is observed that no purpose would be served in keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

10.05.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |