



CRM-M-17959-2024

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(229)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17959-2024

Date of Decision: 25.07.2024

JAGBIR SINGH @ JAGGI @ JAGVIR SINGH

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CRM-M-20717-2024

AMRITPAL SINGH @ AMRIT

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Amandeep Singh, Advocate
for the petitioner in CRM-M-17959-2024.

Mr. Prashant Vashisth, Advocate
for the petitioner in CRM-M-20717-2024.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.

This order shall dispose of two petitions bearing No.CRM-M-17959-2024 titled as Jagbir Singh @ Jaggi @ Jagvir Singh versus State of Punjab and CRM-M-20717-2024 titled as Amritpal Singh @ Amrit Versus State of Punjab as the same are arising out of the same FIR. However, for the sake of convenience the facts have been taken from CRM-M-17959-2024.



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2. The prayer in the present petitions under Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.11 dated 10.02.2024 registered under Sections 379-B, 34, 411 IPC, 1860 at Police Station Dehlon, District Ludhiana.

3. The present FIR came to be registered on the basis of secret information and the same reads as under:-

“SHO, PS Dehlon, Ludhiana "Jai Hind" Today myself Sub Inspector along with Sub Inspector Bhupinder Singh 712/Ldh, Hauldar Jugraj Singh 2947/Ldh, Sepoy Sandeep Singh 4027/Ldh, PHG Gurdeep Singh 19769 were present at Village Sarih in regards to patrolling and checking of suspicious persons on private vehicle along with private laptop and private printer, then a secret informer came present before myself Sub Inspector and informed me separately that Jagbir Singh @ Jaggi resident of the Village Sarih, Amritpal Singh @ Amrit son of Bhupinder Singh, Sukhdev Singh @ Sukha son of Charan Singh resident of Village Dulay, who are having a Swift car bearing number PB-10-DZ-6777, white in colour, who are used to do snatching and robbery, who had a few days ago snatched a motorcycle near Village Khanpur Dana Mandi and had done snatching of mobile phones, who are today also with an intention to commit snatching are roaming around the bank of the canal, ahead of Falahi Sahib in their Swift car. If raid is conducted now than Jagbir Singh @ Jaggi, Amritpal Singh @ Amrit and Sukhdev Singh @ Sukha can be apprehended along with snatched mobiles. That the information is true and reliable. That Jagbir Singh @ Jaggi, Amritpal Singh @ Amrit and Sukhdev Singh @ Sukha have committed an offence u/S 379-B, 34 of IPC by doing snatching, regarding which rukka was got typed and printed on my private laptop by Sepoy Sandeep Singh 4027/Ldh and was sent to police



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station by hand through PHG Piara Singh 19769, for registration of FIR of the offence against above Jagbir Singh @ Jaggi resident of village Sarih, Amritpal Singh @ Amrit son of Bhupinder Singh, Sukhdev Singh @ Sukha son of Charan Singh resident of village Dulay. FIR be registered and its number informed. Myself Sub inspector along with fellow officials are going toward Falahi Sahib. Sd/-Subhas Chand 1529/Ldh, Police Station Dehlon, District Ludhiana. Dated 10-02-2024.”

4. During the course of investigation, the petitioners and their co-accused Sukhdev Singh alias Sukha son of Charan Singh were apprehended while they were travelling in a Swift Car bearing Registration No.PB-10DZ-6777. The search of the car led the recovery of an OPPO Mobile Phone and a Kirpan. During the course of investigation, a motorcycle was also recovered.

5. The learned counsels for the petitioners contend that the petitioners have been falsely implicated in the present case. There was no admissible evidence available against them. The recoveries had been foisted upon them. As they were in custody since 10.02.2024 but none of the 13 prosecution witnesses had been examined so far, the Trial of the present case was not likely to be concluded anytime soon and therefore, they were entitled to the concession of bail.

6. A short reply dated 25.07.2024 by way of an affidavit of Gur Iqbal Singh, PPS, Assistant Commissioner of Police, Ludhiana (South) has been filed in CRM-M-17959-2024 on behalf of the State by the learned counsel for the State. The same is taken on record. While referring to the said reply, he contends that the petitioners and their co-accused were named in the

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secret information. During the course of investigation, they were arrested and the recoveries were effected from them. The nature of the allegations levelled against them did not entitle them to the grant of bail. He, however, concedes that the petitioners were in custody since 10.02.2024 and that none of the 13 prosecution witnesses had been examined so far.

7. I have heard the learned counsel for the petitioners.

8. The veracity of the prosecution case against the petitioners and their co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioners are in custody since 10.02.2024 and none of the 13 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation the further incarceration of the petitioners is not required.

9. Thus without commenting on the merits of the case, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

10. The petitioners shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that they are not involved in any other crime other than the present case.

11. In addition, the petitioners (or anyone on their behalf) shall prepare an FDR in the sum of Rs.50,000/- each and deposit the same with the

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Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioners from trial without sufficient cause.

12. The petitions stand disposed of.

(JASJIT SINGH BEDI)
JUDGE

25.07.2024

JITESH

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No