

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218

I. CRM-M-21651-2024

Sarabjit Singh @ LokoPetitioner
Vs.
State of PunjabRespondent

II. CRM-M-21677-2024

Surjit Kumar @ BubbaPetitioner
Vs.
State of PunjabRespondent

Date of Decision.:08.05.2024

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ajay Kumar, Advocate for
Mr. Rishu Mahajan, Advocate for the
petitioner in CRM-M-21651-2024.

Mr. H.S. Rakhra, Advocate for the
petitioner in CRM-M-21677-2024.

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

This order shall dispose of two petitions titled above, both filed under Section 439 Cr.P.C., as petitioners pray for their release on regular bail in a case arising out of FIR No.41 dated 16.06.2023 registered at Police Station Verka, District Amritsar under Sections 379-B(2), 411 of the IPC.

2. As per allegations, Suba Singh was on duty as Security Guard at A.D. Green Colony Verka, on 16.06.2023 when 8-10 person with muffled

faces surrounded him, threatened him with datar, snatched his rifle having two live cartridges and fled away from the spot. It is also the allegation that they locked the Watchman Manjit Singh and Pappu in a room. One of the culprit, namely Lovejit Singh @ Labha was later on arrested and in his disclosure statement, he nominated both the petitioners and other persons involved in the crime including one Angrej Singh @ Kala. After their arrest, both the petitioners suffered disclosure statement admitting their involvement in the crime.

3. Learned counsel for the petitioner(s) contends that similarly placed co-accused Angrej Singh @ Kala has already been allowed bail by this Court vide order dated 07.03.2024 passed in CRM-M-3314-2024 (Annexure P-3). Learned counsel also contends that petitioner(s) were not named in the FIR and that their names have emerged only in disclosure statement of co-accused Lovejit @ Lasha, which is not admissible.

4. Notice of motion.

5. Mr. Sahil R. Bakshi, AAG, Punjab accepts notice on behalf of respondent- State.

6. Learned State counsel could not refute any of the aforesaid contentions.

7. The custody certificate pertaining to petitioner Sarabjit Singh @ Loko placed on record by learned State counsel would reveal that he is in custody for the last 06 months and 20 days, though involved in one more case.

CRM-M-21651-2024
CRM-M-21677-2024

2024:PHHC:064162
2024:PHHC:064164
-3-

8. The custody certificate of the petitioner Surjit Kumar @ Bubba has not been placed on record but as per the order passed by learned Additional Sessions Judge, Amritsar, he is in custody since 16.12.2023. Trial is likely to take long time to conclude.

9. Having regard to the above facts and circumstances, particularly on the basis of parity, but without commenting anything further on the merits of the case, both the petitions are allowed and petitioner(s) are admitted to bail on their furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

A photocopy of this order be placed on the connected case file.

(DEEPAK GUPTA)
JUDGE

May 08, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No