



294 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-28229-2024
Date of decision: 4th July, 2024

Raghwinder Singh @ Ricky
...Petitioner(s)
Versus
State of Punjab
...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. G.S. Ghumman, Advocate for the petitioner.
Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 439 of Cr.P.C.
seeking regular bail in the FIR mentioned below:-

FIR No.	Date	Police Station	Sections
29	01.03.2022	Shambhu, Patiala	392, 379-B, 473, 412 and 34 of IPC, 1860 and Section 25 of Arms Act, 1959

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Ajaib Singh posted as Deputy Manager/Cashier at ICICI Bank Branch Rajpura alleging therein that on 28.02.2022, after closing of the bank hours, he along with his colleague had gone to Ghaggar Sarai bridge in his Verna car bearing registration No. BPICP-4625 to have some snacks and after taking snacks and going back towards his house, they had stopped the car on the slip road to Rajpura side



when suddenly a white colour swift make car stopped behind them. Two youths alighted from the car and came towards him. While presuming that they wanted to ask something, the complainant opened the window pane of his car but the said youth pulled him outside car and took the keys of the car. He had a scuffle with him. He then fired a shot with a pistol which he was carrying in his hand. Feeling scared, the complainant and his colleague also alighted from the car and those youths after snatching his car, fled away from the spot with their own car that was driven by some third person. After registration of FIR, investigation proceedings were initiated. Accused Manvinder Singh, Pawandeep Singh and Manjot Singh were nominated as accused during investigation and were arrested. They suffered disclosure statements wherein they took the name of the present petitioner as a person who used to supply weapons to the accused Pawandeep Singh. The present petitioner was also arrested on 23.03.2022. After completion of necessary investigation and usual formalities, challan was presented in the Court and presently, he along with the co-accused is facing trial. He had moved an application for grant of regular bail before the learned trial Court which was dismissed vide order dated 12.03.2024.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. He was neither named in the FIR nor he was present at the scene of occurrence at the relevant time and has been involved in this case solely on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. His custodial interrogation is no



more required. Trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. Therefore, it is argued that the petition deserves to be allowed.

4. *Per contra*, learned State counsel has argued that there are serious and specific allegations against the petitioner who is a weapon supplier and was in touch with the co-accused. He has criminal antecedents and is involved in thirteen more cases of different nature registered at various police stations. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. Therefore, it is argued that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner is alleged to be a supplier of weapons to the co-accused who had allegedly snatched the car of the complainant on the fateful night. It is not the case of the prosecution that he was present at the time of occurrence. Recovery of one magazine and six live cartridges is alleged to have been effected from him. He is in custody since 23.03.2022. It is a debatable question as to whether he had a hand in commission of offences of robbery/snatching by co-accused. The trial is likely to take time. The petitioner has placed on record Annexure P-2 copy of custody certificate filed in some other case showing that he has been acquitted/discharged in most of the cases as registered against him or has been extended benefit of bail in the same. In my opinion, further detention of the petitioner would not



serve any useful purpose. In view of the discussion so made, I am of the considered opinion that the petitioner deserves to be given concession of bail. Hence, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application if any is rendered infructuous.

[MANISHA BATRA]
JUDGE

4th July, 2024
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |