



In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-48688-2024 (O&M)
Date of Decision:- 03.10.2024

Jatinder Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gagandeep Singh Pawar, Advocate for
Mr. Shery Goel, Advocate, for the petitioner.

Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

FIR NO.	DATE	POLICE STATION	OFFENCES
104	20.06.2023	Machhiwara, Khanna	379-B IPC (Section 411 IPC added later on)

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of Raju Saahni wherein it is alleged that on 18.6.2023 at about 7:00 PM when he was proceeding towards his home on his motorcycle bearing registration No.PB-10-HJ-8106, then he was waylaid by three persons who came on two separate vehicles i.e. scooty and a motorcycle and started beating him.



It is alleged that said three persons took away his mobile phone and also an amount of Rs.200/- which he was carrying in his shirt and then fled away from the spot. It is further alleged in the FIR that one of the said 3 persons was Mukaj Oberoi and the other was Sunny Bhappa.

3. Learned counsel for the petitioner submitted that there is delay in lodging the FIR which came to be lodged after 2 days of the occurrence and that in any case he is nowhere named in the FIR and came to be nominated on the basis of a supplementary statement of the complainant recorded after about a month of lodging of the FIR and that such like supplementary statement would not have any credibility.
4. Opposing the petition, learned State counsel submitted that since the complainant has specifically named the petitioner in the supplementary statement, his complicity is clearly evident. It has also been informed that the petitioner happens to be involved in two other cases i.e. one for offence under Section 379-B IPC and another under Section 380 IPC. It has also been informed that the petitioner has been behind bars for the last about 1 year, 2 months and 10 days and none out of the cited 8 PWs has been examined.
5. This Court has considered rival submissions addressed before this Court.



6. Having regard to the long custody of the petitioner and also that no PW has been examined till date which would mean that conclusion of trial is likely to consume time, further detention of the petitioner would not be justified. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

03.10.2024

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No