

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-34170 of 2015

DATE OF DECISION: 07.12.2015

Satinder Singh @ Satta Randhawa

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper may be allowed to see judgment? (Yes/No)**
2. **To be referred to reporters or not? (Yes/No)**
3. **Whether the judgment should be reported in the Digest? (Yes/No)**

Present:- Mr. Ramesh Sharma, Advocate
for the petitioner.

Mrs. Ritu Punj, Addl. A.G., Punjab.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 207 dated 25.5.2015 registered under Sections 302,307,148,149 IPC and 25/27 of Arms Act at Police Station A-Division, Amritsar.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case, whereas, no overt act has been attributed to him. He is about 60 years of age and has recently returned from Canada as his son is NRI. Learned counsel further contends that as per allegations levelled in the FIR, the petitioner raised lalkara to one Mukha Pardhan, who is not the accused and now he has also expired.

Learned counsel also contends that the petitioner is in custody since 25.5.2015 and only challan has been presented. Charges are yet to be framed and trial will take long time to conclude and no purpose would be served by keeping the petitioner in custody.

Learned counsel for the respondent-State has not disputed the role of the petitioner as well as custody but opposes grant of bail to the petitioner on the ground that he was present at the place of occurrence.

In view of the submissions made by learned counsel for the petitioner and also the fact that the allegation against the petitioner is that he raised lalkara to one Mukha Pardhan, who is stated to be no more and the same has been affirmed by learned State counsel as well; no overt act has been attributed to him; even it has not come on record as to how the petitioner has played an active role or there was a common intention; the petitioner is in custody for the last more than six months; only the challan has been presented; charges are yet to be framed and no purpose would be served by keeping him in custody, the present petition is allowed. Petitioner-Satinder Singh @ Satta Randhawa is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

However, the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case during trial.

December 07, 2015
pooja

(DAYA CHAUDHARY)
JUDGE

