

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

213

CRM-M-30132-2016 (O&M).
Decided on: September 9, 2016.

Rajat Ballu

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

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CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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**PRESENT Mr.Saravpreet S. Gurna, Advocate,
for the petitioner.**

Mr.Jashanpreet Singh, DAG., Punjab.

M.M.S. BEDI, J. (ORAL)

Petitioner seeks concession of regular bail in a case registered on the basis of secret information that Amrik Singh, Sher Singh and Sarabpreet Singh etc. constituted an unlawful assembly and indulged in robberies, smuggling and they were planning to commit robbery on the highway. A raid was conducted on 2.11.2014 but all the accused fled away. Again on 8.11.2014, the police received similar secret information regarding Amrik Singh, Jaggi and Sher Singh travelling in a car. When intercepted certain weapons and intoxicating powder was recovered.

So far as the petitioner is concerned, he is neither named in the secret information nor any recovery was effected from him. He was in custody in another criminal case on 2.11.2014 and was brought on production warrants in the present case on 27.11.2014 on the basis of statement made by co-accused of the petitioner Harpal Singh. The evidentiary value of the statement of accomplice will certainly be a

debatable issue. Name of the petitioner does not figure in the first or second secret information.

I have confirmed from the record brought by ASI Parkash Masih, grievance of the petitioner that he was actually in custody in another case on 2.11.2014.

In view of above circumstances, this petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to a condition that the petitioner will not commit the similar offence of which he is accused of during pendency of the trial.

(M.M.S. BEDI)
JUDGE

September 9, 2016.
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Whether speaking / reasoned
Whether Reportable:

Yes / No
Yes / No