

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No. M- 32900 of 2016
Date of Decision:-04.10.2016

Simarjit Singh @ Ghullu

..Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

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

Mr.Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer made in the second petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.20, dated 01.02.2015, for offence under Sections 307, 511, 436, 380, 457, 427, 506, 148 and 149 IPC registered at Police Station Jhabhal Distt. Tarn Taran, during the pendency of trial.

Learned counsel for the petitioner contends that earlier petition filed by the petitioner was dismissed as withdrawn vide order dated 10.12.2015 passed by this Court. Thereafter, considerable time has lapsed. He further submits that the co-accused of the petitioner, namely, Gurinder Singh alias Gobindi and Amritpal Singh alias Mangu have already been admitted on regular bail by this Court vide order dated 04.08.2016 passed in CRM-M-11618 of 2016 titled as "Gurinder Singh

alias Gobindi Vs. State of Punjab” and CRM-M-11227 of 2016 titled as “Amritpal Singh alias Mangu Vs. State of Punjab.” He also submits that the petitioner is in custody since 04.02.2015 and trial in the case will take sufficient long time to conclude for the reason that an application under Section 319 Cr.P.C. filed by the prosecution has been allowed.

Learned counsel for the State has filed custody certificate and does not dispute the aforesaid facts including the custody of the petitioner, however, states that there are two more FIRs registered against the petitioner i.e. FIR No.38/10 for offence under Section 452 IPC at Police Station Jhabal and FIR No.110/14 for offence under Section 27 of the NDPS Act, 1985 at Police Station Jhabal, but in these cases, he is on bail.

I have heard learned counsel for the parties.

Considering the fact that the co-accused of the petitioner, namely Gurinder Singh alias Gobindi and Amritpal Singh alias Mangu have already been admitted on regular bail by this Court vide order dated 04.08.2016 and the fact that the petitioner is in custody since 04.02.2015, coupled with the fact that the allegation against him is similar to that of *Gurinder Singh alias Gobindi* and trial in the case will take sufficient long time to conclude, I deem it appropriate to allow the present petition for grant of regular bail.

Accordingly, the present petition is accepted and the petitioner is ordered to be released on regular bail, subject to their furnishing bail/surety bonds to the satisfaction of the trial Court.

It is made clear that in future, in case the petitioner is found involved in any other case, the prosecution will be at liberty to seek

cancellation of his bail.

It is also made clear that expression made here-in-above shall not be construed as an expression on the merit of the case and the trial Court shall be at liberty to decide the case on the basis of available evidence.

(HARI PAL VERMA)
JUDGE

04.10.2016
Anjal

<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>