

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM No.M-44675-2016 (O&M)

Date of decision: 22.12.2016

Amritpal Singh @ Tufan

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Ravinder Sharma, Advocate for the petitioner (s).

Mr. R.S. Nain, AAG, Punjab
assisted by HC Malkeet Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.3 dated 09.01.2015, registered under Sections 302, 201, 379, 411 and 120-B of the Indian Penal Code (for short 'the IPC') and Section 25 of the Arms Act, at Police Station Longowal, Distt. Sangrur.

It is contended that the petitioner is not named in the FIR. He was involved in the present case on the basis of disclosure statement of the secret informer. The recovery allegedly effected from the petitioner is a white head cloth, a white handkerchief, a spanner, two head lights, certain scorio stickers, a jack rod and an empty box, which are stated to be used in the commission of offence. The petitioner is in custody since 19.01.2015.

Co-accused, Gagandeep Singh @ Ghora, has been admitted to bail by this Court. The petitioner is not involved in any other FIR, which is duly admitted by learned State counsel.

Custody certificate has been filed in the Court, same is taken on record.

On the other hand, the learned State counsel, on instructions, states that out of 25 prosecution witnesses, 5 have been examined so far. He has vehemently opposed the present bail petition.

Heard.

Considering the facts that the petitioner is not involved in any other FIR; co-accused, Gagandeep Singh @ Ghora has been admitted to bail by this Court; he is in custody since 19.01.2015; he is not named in the FIR; and out of 25 prosecution witnesses, only 5 have been examined so far, trial is likely to take a long time, therefore, no purpose would be served in keeping the petitioner behind the bars, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court, concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

22.12.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No