

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

**Criminal Misc. No. M-17462 of 2017
Date of Decision:-23.08.2017**

Surjit Kumar @ Baba

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present:- Mr. Vivek Salathia, Advocate
for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

SUDIP AHLUWALIA J.(Oral)

In this petition, the petitioner seeks his release on regular bail under Section 439 Cr.P.C. in connection with proceedings arising out of FIR No.172 dated 14.9.2016, under Sections 457, 380 IPC plus Sections 392/506 IPC (added later on), of Police Station Sadar, Amritsar.

Undisputedly, no one was specifically named as an accused in the FIR. The record shows that the petitioner along with six other persons was arrested in connection with this case when all of those seven persons were already in custody in connection with a subsequent FIR No.45 dated 16.2.2017, under Sections 395, 148 and 149 IPC.

Challan has subsequently been submitted in the case after

completion of the investigation.

Considering the long detention of the petitioner, coupled with the fact that he was not originally named in the FIR and that the case is triable by the Court of the Judicial Magistrate itself, the petition stands allowed and the petitioner is ordered to be released on bail to the satisfaction of the learned trial Court, who may impose any additional conditions as deemed fit and proper.

August 23, 2017
Vijay Asija

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No