

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

**CRM-M No.39569 of 2016
Date of Decision: 17.02.2017**

SATPAL SINGH @ SATTUPetitioner

Versus

STATE OF HARYANA ... Respondent

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Jagjit Gill, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG, Haryana.

RAJ MOHAN SINGH, J.(ORAL)

Petitioner has prayed for grant of regular bail in case bearing FIR No.167 dated 18.06.2016 registered under Sections 399, 402 IPC and Sections 25, 54, 59 of the Arms Act at Police Station Kalanwali, District Sirsa.

The allegations forming subject matter of FIR are that on 18.06.2016, petitioner along with co-accused Manish Kumar, Manpreet Singh, Bhim Singh, Baggi Singh and Balla Singh were preparing to commit dacoity. They were armed with country made pistol, khanda, kapa and iron pipes. On receipt of secret information, police party raided the spot, where the accused were allegedly making preparation to commit dacoity. Petitioner along with co-accused Manish Kumar, Manpreet Singh and Bhim Singh were apprehended at the spot. Co-accused Baggi Singh and Balla Singh succeeded in making good their escape.

Country made pistol along with live catridges, khanda and iron pipe were recovered from the accused who were arrested from the spot. Subsequently, Baggi Singh and Balla Singh were also arrested on 05.07.2016 and recoveries were effected from them pursuant to their disclosure statements. Recovery of .315 bore country made pistol along with two live catridges was effected from the petitioner.

Learned counsel for the petitioner submitted that co-accused namely Baggi Singh, Manish Kumar, Balla Singh and Bhim Singh have already been granted regular bail by the trial Court and his case cannot be segregated on the alleged recovery of .315 bore country made pistol.

Learned State counsel on instructions from SI, Narinder Singh submitted that the petitioner was also involved in three other cases. In case bearing FIR No.219 dated 11.10.2013 registered under Sections 323, 506, 34 IPC, he has already been convicted and sentenced to undergo six months rigorous imprisonment by the trial Court on 05.11.2016. Second case bearing FIR No.96 dated 24.07.2012 registered under NDPS Act is pending against him in which he is on bail. In third case bearing FIR No.62 dated 09.03.2014 registered under Sections 323, 341, 506, 148, 149 IPC and Section 25 of the Arms Act, the petitioner is also on bail. Learned State counsel further

submitted that now the case is fixed for prosecution evidence on 07.03.2017 before the trial Court and out of total 13 witnesses, 6 witnesses have already been examined.

At this stage, without forming any opinion on ultimate merits of the case, I am of the view that since the co-accused have already been granted bail by the trial Court and the petitioner is in custody since 18.06.2016, it will be just and expedient to grant benefit of regular bail to the petitioner.

Let the petitioner be enlarged on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

17.02.2017
prince

(RAJ MOHAN SINGH)
JUDGE

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No