

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-43360-2017

Date of decision: 07.12.2017

Mithu Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. GS Nahel, Advocate for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Mithu Singh, has prayed for grant of regular bail in case FIR No. 146 dated 25.08.2017, registered under Sections 307, 353, 186, 427, 148, 109, 149 and 120-B IPC at Police Station Dirba, District Sangrur.

2. According to the prosecution, a Swift Dezire car, bearing registration No. PB-28-E-0377, in which five persons, namely, Satpal Singh, Mithu Singh (petitioner herein), Harwinder Singh, Harbans Singh and Parsa Ram were travelling, was searched in routine and chilly powder along with some objectionable items was recovered from the persons aforesaid, which they were carrying to disturb the law and situation order in the State on account of conviction of self-styled Baba Gurmeet Ram Rahim.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the instant case. He was not driving the aforesaid car, rather was sitting on the conductor side. The

petitioner is in custody since 25.08.2017. Conclusion of trial may take a

long time. No useful purpose would be served by detaining the petitioner in jail. Co-accused of the petitioner namely; Ranjit Singh (vide order dated 20.11.2017 passed in CRM-M-44490-2017); Harwinder Singh and Harbans Singh (vide order dated 01.12.2017 passed in CRM-M-44490-2017) and Dhunni Chand (vide order dated 06.12.2017 passed in CRM-M-45089-2017), have already been granted the concession of regular bail by this Court. Thus, treating the case of the petitioner on the same parity, he be released on regular bail.

4. On the other hand, learned State counsel vehemently opposed prayer for grant of regular bail to the petitioner.

5. Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Mithu Singh, is ordered to be released on bail pending trial, on the same parity as that of his co-accused, namely; Ranjit Singh, Harwinder Singh, Harbans Singh and Dhunni Chand, on his furnishing bail bonds and surety bonds, to the satisfaction of Trial Court/Duty Magistrate concerned.

December 07, 2017
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No