

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-12787 of 2018

Date of Decision: April 03, 2018

Gurpreet Singh @ Bhonda

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Ashish Gupta, Advocate
for the petitioner

Mr. Kirat Singh Sidhu, DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 142 dated 04.10.2017, registered under Sections 306, 388, 506, 201, 120-B IPC at Police Station Sadar, Kotkapura, District Faridkot.

Learned counsel for the petitioner contends that the petitioner is alleged to be the person who approached the complainant with demand of Rs. 10 lacs for getting her husband released. However, no charge has been framed under Section 388 IPC. There is no other allegation against the petitioner. He has been in custody for more than five months and the trial is not likely to be concluded at an early date, therefore, he deserves to be granted regular bail.

Custody certificate prepared by Sh. Iqbal Singh Brar, Deputy Superintendent, Central Jail, Faridkot has been filed in the Court today and the same is taken on record.

According to this certificate, the petitioner has undergone actual custody of five months and twenty six days and there is no other case pending against him.

Learned State counsel, however, submits that the petitioner has attempted to extort money from the complainant and, therefore, he does not deserve to be granted regular bail. However, it is conceded that there is no other allegation against the petitioner and that charge under Section 388 IPC has not been framed against the petitioner.

The petitioner is alleged to have attempted to extort money. However, that allegation was *prima facie* not accepted by the trial Court as no charge was framed under Section 388 IPC. The petitioner has been in custody for more than five months and the trial is not likely to be concluded at an early date, therefore, no useful purpose would be served by keeping him in custody indefinitely. Moreover, it is not in dispute that co-accused Sukpreet Kaur @ Raman has been granted regular bail.

In this view of the matter, the petition is allowed. Petitioner – Gurpreet Singh @ Bhonda is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

April 03, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No