

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22443-2018

Date of decision: 30.05.2018

Shakti Arora @ Rocky

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Rishma Verma, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.111 dated 03.04.2015 under Sections 24 of Immigration Act, registered at Police Station Phagwara City, District Kapurthala.

Learned counsel for the petitioner submits that four co-accused of the petitioner namely Rakesh Arora, Narinder Thapar, Suman Kumar @ Suraj and Kajal, against whom the similar allegations are made, as against the petitioner, have already been granted regular bail. Counsel for the petitioner further submits that the petitioner was earlier declared a proclaimed offender by the trial Court vide order dated 08.08.2017 and later on, he had surrendered before the trial Court. It is further submitted that the petitioner is in judicial custody since 22.03.2018 and he has undergone 02 months and 07 days of judicial custody. It is also submitted that the challan has already been presented

against the petitioner, the offences are triable by the Court of Magistrate and it will take some time in conclusion of the trial.

Learned State counsel has filed the custody certificate dated 29.05.2018 and as per this custody certificate, the petitioner has undergone 02 months and 07 days of judicial custody and in other FIRs, he is on bail. Learned State counsel, on instructions from ASI Onkar Singh, has not disputed the fact that challan has already been presented against the petitioner.

Without commenting on merits of the case, considering the fact that the petitioner is no more required for any further investigation; challan has already been presented; offences are triable by the Court of Magistrate and conclusion of the trial will take some time; four co-accused of the petitioner have already been granted the concession of regular bail, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail bonds and heavy surety to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

30.05.2018

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No