

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

**CRM-M-25919-2018
Date of decision: 01.08.2018**

Simranjit Singh @ Sammi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Ms. Jasneet Mehra, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is the second petition, filed under Section 439 of the Code of Criminal Procedure, for grant of regular bail to the petitioner in case FIR No. 249 dated 28.09.2017, registered under Sections 379-B(2)/34 of the IPC (Section 201 IPC and Section 25/54/59 of the Arms Act added later on) at Police Station Kotwali (E-Division Amritsar), District Amritsar.

Learned counsel for the petitioner submits that the earlier application seeking regular bail, bearing CRM-M-47804-2017, was withdrawn on 24.01.2018. Thereafter, the present application is filed as the main accused Harwinder Singh has already been granted concession of default bail under Section 167 Cr.P.C.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR and was nominated on the disclosure of co-accused Harwinder Singh. It is further submitted that the petitioner is in judicial custody since 12.10.2017 and challan has been presented, charges have been framed and out of total 17 prosecution witnesses, none has been

examined so far.

Learned State counsel, on instructions from ASI Paramjit Singh, has not disputed the factual position and submitted that the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts that the petitioner is in judicial custody since 12.10.2017; charges have been framed; no prosecution witness has been examined so far and the co-accused Harwinder Singh has already been granted concession of default bail under Section 167 Cr.P.C.; the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

August 01, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No