

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

CRM-M No.29685 of 2018
DATE OF DECISION:24.08.2018

Attinder Pal Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Mohinder Kumar, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

DAYA CHAUDHARY, J.(ORAL)

Through the present petition filed under Section 439 Cr. P.C., the petitioner-Attinder Pal Singh seeks regular bail in case FIR No.114, dated 12.10.2017(Annexure P-1), registered under Sections 307, 482 read with Section 34 of IPC (Sections 115 and 120-B of IPC added later on), Section 22 of NDPS Act, and Section 25 of Arms Act at Police Station Haryana, District Hoshiarpur, Punjab.

Learned counsel for the petitioner submits that petitioner has been implicated on the basis of disclosure statement and there is no connecting evidence against him. Learned counsel also submits that co-accused of the petitioner namely Hemank Joshi filed CRM-M No.47194 of 2017 and has been released on regular bail vide order dated 28.05.2018. Similarly co-accused namely Chetan Sharma filed CRM-M No.47136 and has also been released on regular bail vide order dated 01.06.2018. Learned counsel also submits that charges have been framed and

co-accused have been released on regular bail. No purpose would be served by keeping the petitioner behind bars as he is in custody since 12.10.2017. Trial of the case may take long time to conclude.

Learned State counsel has not disputed the custody period as well as release of co-accused on regular bail but she has opposed the submissions made by learned counsel for the petitioner on the ground of seriousness of offence and also the fact that witnesses still remain to be examined.

Heard learned counsel for the petitioner and have also perused the contents of the FIR and other documents available on the file.

Petitioner has been implicated on the basis of disclosure statement made by co-accused and he is in custody since 12.10.2017. Co-accused of the petitioner Hemank Joshi and Chetan Sharma have been released on regular bail in two different petitions. Challan has been presented and charges have been framed. Three witnesses have been examined. Custody of the petitioner is not required and trial of the case may take long time to conclude. Accordingly, by considering the parity with both co-accused, the present petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

24.08.2018
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(DAYA CHAUDHARY)
JUDGE

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