

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3271-2018
Date of decision: 20.07.2018

Gurdeep Singh @ Soni

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Kaura, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.193 dated 21.09.2016 under Sections 307, 341, 427, 148, 149 IPC and Sections 25/27/54/59 of Arms Act, registered at Police Station Derabassi, District SAS Nagar (Mohali).

Learned counsel for the petitioner submits that as per allegations in the FIR, 09 persons with three different vehicles have fired shots on victim Dalbir Singh on 21.09.2016. Counsel for the petitioner further submits that the petitioner is in judicial custody since 27.02.2017 and out of total 20 prosecution witnesses, only 01 PW has been examined so far, therefore, it will take long time in conclusion of the trial. The prosecution has also moved an application under Section 319 Cr.P.C., which was allowed and the additional accused were also summoned. It is further submitted that co-accused of the petitioner namely

Gurwinder Singh @ Laddi has already been granted the concession of regular bail vide order dated 02.03.2017 passed in CRM-M-1558-2017.

Learned counsel for the petitioner has further submitted that in the statement of victim Dalbir Singh, who has appeared as PW1, he has reiterated the version given in the FIR that all the occupants of three vehicles have fired on him and no specific role is attributed towards the petitioner.

Learned State counsel, on the basis of custody certificate, has not disputed the fact that the petitioner is in judicial custody since 27.02.2017, however, has submitted that he is also involved in FIR No.202 dated 07.10.2016 under Sections 307/34 IPC and Sections 25/27/54/59 of Arms Act, Police Station Derabassi, in which he is on bail.

Without commenting anything on merits of the case, considering the fact that the petitioner has undergone the substantive judicial custody of about 01 year and 05 months; the trial is moving at the very slow pace as noticed above and also in view of the fact that co-accused of the petitioner has 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/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

20.07.2018
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No