

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

CRM-M-3592-2018 (O&M)

Date of decision: 08.02.2018

Sukhdev Singh @ Sukha @ Gagan Singh @ Gagi **...Petitioner**

Versus

State of Punjab **...Respondent**

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Puneet Kumar Bansal, Advocate,
for the petitioner.

Mr. A. S. Sandhu, Addl. A.G., Punjab.

JAISHREE THAKUR, J. (Oral)

CRM-4879-2018

This is an application for correction in memo of parties by adding the other names of the petitioner which has been mentioned in the FIR in question.

For the reasons mentioned in the application, the same is allowed. Amended memo of parties is taken on record. Office to tag the same at the appropriate place.

CRM-M-3592-2018

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 39 dated 18.08.2016, under Sections 376, 312, 313, 506 and 120-B of the IPC (Section 376-D and 314 of the IPC added later on), registered at Police Station Amir Khas, District Ferozepur.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and he is in custody since

11.09.2016. It is further contended that statements of all the material witnesses have already been recorded wherein they have turned hostile. It is also argued that the co-accused Sandeep Singh @ Laddi has already been granted concession of regular bail by an order dated 16.01.2018 passed by this Court in **CRM-M-49829-2017** (Annexure P-6). Counsel for the petitioner submits that the since the trial is likely to take some time, the petitioner should be enlarged on regular bail.

Mr. A. S. Sandhu, Addl. A.G., Punjab, has appeared on behalf of the respondent-State and opposes the grant of regular to the petitioner, however, he is not able to dispute the fact that all the material witnesses have turned hostile and the co-accused has already been granted regular bail.

I have heard learned counsel for the parties.

Since the petitioner is in custody since 11.09.2016 and the trial is likely to take some time, no useful purpose would be served in keeping him in custody furthermore. Hence, the present petition is accepted. Petitioner Sukhdev Singh @ Sukha @ Gagan Singh @ Gagi is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

08.02.2018

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No