

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

**Criminal Misc. No. M-36468 of 2018
Date of decision: 20.11.2018**

Arshdeep Singh Dhammu

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

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

Ms. Rashmi Attri, AAG, Punjab
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner-Arshdeep Singh Dhammu under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.39 dated 04.02.2018 registered under Sections 382, 392, 473 read with Section 120-B IPC at Police Station Zirakpur, District SAS Nagar, Mohali, during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has been implicated in the case only on the basis of disclosure statement made by co-accused, which is not admissible under law. Learned counsel further submits that the statement of complainant has been recorded, who has not supported the case of the prosecution. Learned counsel also submits that co-accused of the petitioner, namely, Harsimran Singh, has been released on regular bail by the Additional Sessions Judge, SAS Nagar, vide order dated 05.11.2018 and two more co-accused, namely, Dilraj and Ranjit Singh, have also been released on regular bail by this Court vide order dated

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04.07.2018 passed in Criminal Misc. No. M-20098 of 2018 and order dated 03.08.2018 passed in Criminal Misc. No. M-17212 of 2018, respectively. The petitioner is in custody since 08.02.2018 and no purpose would be served by keeping him in custody. No other case is pending against the petitioner.

Learned State counsel has not disputed the custody period as well as recording of statement of complainant.

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

Keeping in view the submissions made by learned counsel for the petitioner that the petitioner is in custody since 08.02.2018; his co-accused, namely, Harsimran Singh, Dilraj and Ranjit Singh have been released on regular bail; the trial may take time to conclude; no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Arshdeep Singh Dhammu) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

20.11.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No