

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

**CRM-M-37135-2018  
Date of decision: 22.10.2018**

**Baljinder Singh @ Bhuchi**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Achin Gupta, Advocate  
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

**ARVIND SINGH SANGWAN, J. (Oral)**

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. 83 dated 18.06.2017, under Sections 307, 392, 34 of the IPC (Sections 473, 411, 325, 394, 397, 465, 471, 120-B, 148, 149 of the IPC and Section 25 of the Arms Act were added later on), registered at Police Station Mataur, District S.A.S. Nagar.

Learned counsel for the petitioner submits that while granting regular bail to co-accused Harmanjot Singh, the following order was passed on 04.04.2018 in CRM-M-45870-2017:

**“Counsel for the petitioner has submitted that co-accused of the petitioner namely Karanbir Singh and Anuj Jagga have already been granted the concession of regular bail vide order dated 31.10.2017 passed in CRM-M No.35262 of 2017 and order dated 04.08.2017 passed in CRM-M No.27728 of 2017. It is further submitted that the petitioner is in judicial lock up since 27.06.2017 and the police has completed**

**the investigation and submitted the report under Section 173 Cr.P.C. It is also stated that there is no direct allegation against the petitioner for causing injuries to Tilak Raj and conclusion of the trial is likely to take some time. Counsel for the State, on instructions from ASI Lakhwinder Singh, has however opposed the prayer for bail on the ground that the petitioner is involved in two more cases. Without commenting anything on merits of the case and considering the fact that the petitioner is in judicial custody since 27.06.2017; charges are yet to be framed; the co-accused of the petitioner have already been granted the concession of regular bail and conclusion of the trial is likely to take some time, this petition is allowed and the petitioner is ordered to be released on bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate.”**

Learned counsel for the petitioner further submits that even at the time when the aforesaid co-accused was granted regular bail, the charges were not framed and even till date, the case is fixed for framing of charges.

Learned counsel for the petitioner further submits that the petitioner is in judicial custody for the last 01 year, 03 months and 19 days and he is on bail in other cases.

Custody certificate, filed by learned State counsel, is taken on record. Learned State counsel, on the basis of the custody certificate and on instructions from ASI Kashmira Singh, has opposed the grant of regular bail to petitioner by submitting that he is involved in three more cases except the present one.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for a period more than 01 year and 03 month; co-accused of the petitioner have already been granted concession of regular bail and also in view of the fact that trial is likely to take some time as the case is still at the initial stage; 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.

October 22, 2018  
*Waseem Ansari*

(ARVIND SINGH SANGWAN)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*