

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.219

CRM-M-37293-2018

Date of decision : 04.09.2018

Gurmeet Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. S.D.S. Bali, Advocate, for the petitioner.

Mr. J.S. Walia, Sr. DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.47 dated 18.05.2016, registered at Police Station P.A.U. Ludhiana, under Sections 302, 307, 427, 148, 149, 212, 216 and 120B IPC and Sections 25 and 27 of the Arms Act, 1959.

The contention of learned counsel for the petitioner is that the petitioner has been named in the present FIR on the basis of second disclosure statement made by the complainant and that even as per that statement, he is accused of being present at the spot of the *Chhabil*, where the convoy of Baba Ranjit Singh Dhandriawala was stopped and attacked. The investigation is complete and the petitioner has been in custody since 24.05.2016 and thus, no useful purpose would be served by keeping the petitioner in custody indefinitely.

Custody certificate dated 04.09.2018, by way of affidavit of Iqbal Singh Bhaliwal, PPS, Deputy Superintendent, Central Jail, Ludhiana, has been filed by the learned State counsel in Court today and the same is taken on record. A copy thereof has been supplied to learned counsel for the petitioner. According to this certificate, the petitioner has undergone

actual custody of two years, one month and nineteen days.

Learned State counsel submits that a serious offence has been committed by the petitioner and that certain private witnesses are yet to be examined and therefore, the petitioner be not released on regular bail.

Considering the fact that the petitioner has been in custody since 24.05.2016 and that he is not accused of the use of any weapon in the incident concerned as well as the fact that the trial is not likely to be concluded at an early date as no prosecution witness has been examined till date, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and the petitioner-Gurmeet Singh, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

04.09.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No