

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40611-2017 (O&M)
Date of decision: 12.01.2018

Kuljit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Riffi Birla, Advocate
for the petitioner.

Mr. Abhaypal Singh Gill, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.107 dated 15.05.2017 under Sections 379B, 328 IPC, registered at Police Station Sadar Ferozepur.

Learned counsel for the petitioner submits that co-accused Gurmail Singh and Lakhwinder Singh have already been released on regular bail by the trial Court and co-accused Baljinder Singh @ Bagga has been granted the concession of regular bail by this Court vide order dated 22.09.2017 passed in CRM-M-34942-2017. Counsel for the petitioner further submits that one of the co-accused Gurmail Singh is son-in-law of the complainant and recovery of some amount has been effected from him and no recovery has been effected from the petitioner. It is further submitted that the petitioner is in judicial lockup since 07.06.2017 and there is no direct evidence against the petitioner.

Learned State counsel has not disputed the factual position regarding the grant of bail to co-accused, however, opposed the prayer for bail on the ground that the petitioner is facing trial in another FIR under Section 22 of NDPS Act, in which he is on bail.

As per custody certificate dated 16.12.2017, the petitioner is in judicial lockup since 07.06.2017 and he is on bail in another FIR.

Without commenting anything on merits of the case, considering the fact that the investigation is complete; nothing is to be recovered from the petitioner; trial is not likely to be concluded in the near future, no purpose will be served in keeping the petitioner in judicial lockup and also in view of the fact that co-accused have already been released on regular bail, this petition is allowed and the petitioner is directed to be released on bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

12.01.2018
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No