

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Hemlata
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CRM-M-45578-2017 (O&M)

Date of decision: 12.03.2018

Ricky Masih

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Dhawaljeet Dutta, 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 under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.) in FIR No. 50 dated 25.3.2017 for offences under Sections 224 /332 /353 /307/ 436/ 186/ 148/ 149/ 120-B IPC and Section 52 of Prisoners Act registered at Police Station City Gurdaspur, Punjab.

Counsel for the petitioner has submitted that co-accused of the petitioner, namely, Sandeep Singh @ Sahib Singh @ Sabbi @ Harpreet Singh has been granted concession of regular bail vide order dated 13.12.2017 passed in CRM-M-46367 of 2017, Amandeep Singh @ Noni has been granted regular bail vide order dated 20.11.2017 in CRM-M-33496 of 2017, Parivartan Singh has been granted regular bail vide order dated 13.11.2017 in CRM-M-41220 of 2017 and Partap Singh has been granted regular bail vide order dated 29.01.2018 in CRM-M-1801-2018.

It is further submitted that challan has already been presented and the petitioner is in judicial lock up since 19.05.2017 and conclusion of the trial will take long time.

Learned State counsel, on instructions from ASI Jagjit Singh, has not disputed the factual position but opposed the prayer for bail on the ground that there are serious allegations against the petitioner.

Without commenting anything on merits of the case and considering the fact that petitioner is in judicial lock up since 19.5.2017; some of the co-accused of the petitioner have already been granted concession of regular bail by this Court; and conclusion of trial is likely to take some time, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found involved misusing the concession of bail, in any manner .

(ARVIND SINGH SANGWAN)
JUDGE

12.03.2018
Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No