

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8154-2018
Date of decision: 06.03.2018

Rahul @ Raju

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. D.R. Punia, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.157 dated 16.10.2016 under Sections 399, 402, 482, 411 IPC and Sections 25, 54, 59 of Arms Act, registered at Police Station City Nawanshahar (SBS Nagar).

Learned counsel for the petitioner submits that the petitioner is in judicial lockup since 16.10.2016, challan has been presented in the Court and charges have been framed, however, no prosecution witness has been examined so far. It is further submitted that co-accused of the petitioner namely Pardeep Kumar @ Deepa has been granted the concession of regular bail by this Court vide order dated 06.12.2017 passed in CRM-M-35844-2017. Counsel for the petitioner further submits that as per the allegations in the FIR, a raid was conducted by Inspector Dilbag Singh on the basis of secret information and the petitioner and his co-accused were apprehended along with weapon, while they

were preparing to commit theft/dacoity and a kirpan was recovered from the petitioner.

Learned State counsel, on instructions from ASI Mohinder Singh, has opposed the prayer for bail on the ground that the petitioner is involved in another FIR No.91 dated 14.03.2017 under Sections 395, 354, 354B, 506, 120-B, 412 IPC, Police Station Kotwali, Faridabad.

In reply, learned counsel for the petitioner submits that vide order dated 18.07.2017, the petitioner has already been granted regular bail in FIR No.91 by Additional Sessions Judge, Faridabad.

Without commenting on merits of the case, considering the fact that the petitioner is in judicial lockup since 16.10.2016; no prosecution witness has been examined so far; one of the co-accused namely Pardeep Kumar @ Deepa has been granted regular bail by this Court; petitioner is on bail in aforesaid FIR No.91 and also in view of the fact that conclusion of trial will take long time, 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/Chief Judicial Magistrate/Duty Magistrate, Nawanshahar (SBS Nagar).

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

06.03.2018
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No