

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-571-2019 (O & M)
Date of Decision: 11.04.2019**

GURDEEP SINGH

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. R.S. Sekhon, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No. 141, dated 03.09.2005, under Sections 382, 325, 324, 323, 148, 149 and 120-B of the Indian Penal Code ('IPC' - for short), Sections 392, 307 and 326 IPC added later on, registered at Police Station Bholath, District Kapurthala.

Learned counsel for the petitioner contends that the allegations in the FIR are that 5 to 7 unidentified persons had attacked the complainant party and while going back they had taken a sum of ₹80,000/-, one watch and a mobile. He also contends that all other accused who were similarly situated with the petitioner have been acquitted by the trial Court. He further contends that the petitioner had earlier been declared as a proclaimed offender as he was not aware of the proceedings against him. He also contends that the petitioner is in custody for over a year since his arrest on 24.03.2018 and conclusion of the trial is likely to take time as no prosecution witness has been examined.

Learned State counsel, on instructions from ASI Balwinder Singh states that the investigation in the case has been completed but charges have not been framed yet.

Heard.

In view of the submissions of the learned counsel for the petitioner especially when the petitioner is in custody for over a year, similarly situated co-accused have been acquitted by the trial Court and conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

April 11, 2019

A.Kaundal

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