

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

Crl. Misc. No. M-43074 of 2018

DATE OF DECISION:26.02.2019

Sandeep Singh @ Giani

.....Petitioner

Versus

State of Punjab

.....Respondent

**BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

Present:- Mr. Prateek Pandit, Advocate  
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

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**DAYA CHAUDHARY, J.**

The present petition under Section 439 Cr.P.C. has been filed for grant of regular bail to petitioner-Sandeep Singh @ Giani in case FIR No. 67 dated 20.11.2011 registered under Sections 307,436,427,224,148,149 IPC and Sections 3, 4 of Damage to Public Property Act, 1984 at Police Station Kotwali, District Kapurthala.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case, whereas, no specific role has been attributed to him. It is no injury case and no offence under Section 307 IPC is not made out. Co-accused of the petitioner, namely, Simaranjit Singh has approached this Court by way of filing Crl. Misc. No. M-6595 of 2016 for grant of regular bail, which was allowed on 16.5.2016. Earlier two petitions filed by the petitioner have been dismissed on the ground that two more cases are there against him, whereas, in one case registered under Section 302 IPC, he was convicted by the trial Court and appeal is pending and

sentence imposed upon him has been suspended by this Court. In other case, the petitioner has been acquitted and other than aforesaid two cases, no other case is there against the petitioner. Learned counsel further contends that out of total 30 prosecution witnesses only three have been examined and trial may take long time to conclude.

Learned counsel for respondent-State has not disputed the custody period as well as stage of the trial but opposed bail on the ground that the petitioner attacked on the police officials. Learned State counsel submits that total 18 accused are there, out of whom, 7 are on bail and 11 are in custody.

Heard the arguments advanced by learned counsel for the parties and have also gone through the contents of the FIR and other documents available on the file.

By considering the custody of the petitioner since 23.7.2014 and also the facts that it is a case of no injury; seven accused have already been released on regular bail; no specific role has been attributed to the petitioner; his sentence has been suspended in the appeal filed by him and without commenting anything on the merits of the case, the present petition is allowed. Petitioner-Sandeep Singh @ Giani is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

February 26, 2019  
pooja

**(DAYA CHAUDHARY)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes  
Yes