

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

**Criminal Misc. No. M-44854 of 2018
Date of decision: 18.03.2019**

Malkit Singh alias Nawab

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab
for the respondent -State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail in case FIR No.06 dated 17.08.2016 registered under Sections 148, 149 IPC, Sections 25/27 of the Arms Act and Section 307 IPC added later on at Police Station State Special Operation Cell, District Amritsar.

Learned counsel for the petitioner submits that co-accused of the petitioner, namely, Harmandeep Singh, Mangal Singh @ Manga and Ranjodh Singh @ Sunny Zhama have been released on regular bail by this Court vide orders dated 06.12.2016, 27.01.2017 and 20.02.2018 passed in CRM-M Nos.42753 of 2016, 1819 of 2017 and 932 of 2018. The petitioner is in custody since 11.11.2016.

Learned State counsel has not disputed the custody period as well as release of co-accused on regular bail by this Court but she has

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opposed grant of regular bail to the petitioner on the ground that the petitioner is involved in a number of cases and in one case under Sections 302/364 IPC, he is not on bail.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

By considering that the petitioner is in custody since 11.11.2016; the petitioner is on bail in all other cases except one case under Section 302/364 IPC; trial may take time to conclude; no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Malkit Singh @ Nawab) is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

However, it is made clear that in case, the petitioner is not on bail in other case under Sections 302/364 IPC, he is not to be released.

18.03.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No