

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.211

CRM-M-50234-2018

Date of decision : 7.2.2019

Gagandeep Singh @ Gagan and another

..... Petitioners

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. HS Brar, Advocate, for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab

Dr. Anmol Rattan Singh Sidhu, Sr. Advocate with
Mr. Pratham Sethi, Advocate, for the complainant.

SUDHIR MITTAL, J. (Oral)

The petitioners seek regular bail in case FIR No.47 dated 18.5.2016, registered at Police Station PAU, District Ludhiana, under Sections 302/307/427/148/149/212/216/120-B IPC and Sections 25/27 of the Arms Act, 1959.

Learned counsel for the petitioners submits that the petitioners have been in custody since 24.5.2016. There are total 42 PWs and only 03 PWs have been partially examined till date. Thus, the trial is not likely to be concluded at an early date. The petitioners do not have any criminal antecedents. In the present case also, the only allegation against them is that they struck one of the vehicles in the convoy of Baba Ranjit Singh Dhandrianwala. Apart from that, out of total of 14 accused persons, 10 accused persons have been released on regular bail. Thus, the petitioners may be released on regular bail.

Learned State counsel as well as learned senior counsel for the complainant oppose the prayer. They state that a very serious offence has been committed and the petitioners were also involved in the larger

conspiracy. The complainant has only been partially examined and the next date of hearing is 18.2.2019. Thus, the hearing of the petition be deferred to a date beyond 18.2.2019.

It is not disputed that the only allegation against the petitioners is of striking one of the vehicles in the convoy of Baba Ranjit Singh Dhandrianwala. No fire-arms have been recovered from the petitioners. The trial is not likely to be concluded at an early date keeping in view the large number of PWs. A copy of order dated 31.1.2019 passed by Addl. Sessions Judge, Ludhiana, has been handed over in Court, according to which, the petitioners have cross-examined the complainant and thus, so far as the petitioners are concerned, the examination of the complainant is complete. Thus, no useful purpose would be served by keeping the petitioners in custody indefinitely.

Keeping in view the facts and circumstances of this case, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioners-Gagandeep Singh @ Gagan and Jaspreet Singh, are ordered to be released on bail on their furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

7.2.2019

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No