

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.211-a

CRM-M-50368-2018

Date of decision : 7.2.2019

Hardev Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

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

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 petitioner seeks 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 petitioner submits that the petitioner has 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 petitioner does not have any criminal antecedents. In the present case also, the only allegation against him that he 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 petitioner 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 petitioner was 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 petitioner is of striking one of the vehicles in the convoy of Baba Ranjit Singh Dhandrianwala. No fire-arm has been recovered from the petitioner. 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 petitioner has cross-examined the complainant and thus, so far as the petitioner is concerned, the examination of the complainant is complete. Thus, no useful purpose would be served by keeping the petitioner 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 petitioner-Hardev Singh, is ordered to be released on bail on his 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