

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

**CRM-M No.51183 of 2018
Decided on: 23.01.2019**

Raju

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Rajbir Singh, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.161 dated 13.10.2017, for offence punishable under Sections 365/506/34 of the Indian Penal Code (in short 'IPC') (Section 364-A IPC added later) and 25 of the Arms Act, registered at Police Station Lehra, District Sangrur.

Counsel for the petitioner has submitted that the co-accused of the petitioner has already been granted the concession of anticipatory bail in CRM-M No.52041 of 2018 vide order of even date. It is further stated that the petitioner is in custody since 08.10.2018, challan stands presented and conclusion of the trial will take some time. It is further submitted that the petitioner is not involved in any other case and in the FIR, there is no allegation against the petitioner.

Counsel for the State, on instructions from HC Major

Singh, has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the co-accused of the petitioner has already been granted the concession of interim anticipatory bail; he is not involved in any other case; the petitioner is in custody since 08.10.2018 and conclusion of the trial is likely to take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

23.01.2019
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No