

220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43026-2019 (O&M)

Date of decision-06.12.2019

Sunny

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Charanpreet Singh, Advocate for
Mr. B.S.Kathuria, Advocate for the petitioner.
Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

CRM-31159-2019

Application is allowed as prayed for.

Main case

Petitioner-Sunny has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.118 dated 20.08.2019 registered under Sections 394 and 120-B read with Section 34 of Indian Penal Code, 1860 at Police Station Sadar Ludhiana, District Ludhiana. The petitioner is in custody since his arrest on 20.08.2019.

Learned counsel for the petitioner contends that victim, namely, Gulshan Rai was stopped by 2-3 clean shaven persons and after stopping him they gave beatings to him and took bag containing cash amount of Rs.2,36,000/- and 24 cheques. It is pointed out that the petitioner was indicted on the basis of statement given by co-accused-Akash. He submits that as per prosecution, there were three assailants, namely, Gulshan, Mani

Kumar and Akash who stopped the victim and committed crime. He submits that his co-accused Mani Kumar has already been granted the bail by Court of Additional Sessions Judge, Ludiana vide order dated 21.11.2019. A copy of the said order produced before this Court. He submits that investigation of the case is complete, therefore, further custody of the petitioner may not be justified.

On the other hand, learned State counsel assisted by ASI Gurbakshish Singh opposed the prayer on the ground that the petitioner facilitated the crime by intimating the other assailants about the victim. He submits that the challan stands filed on 19.10.2019 and charges have been framed. However, it is not disputed that co-accused Mani Kumar has been extended the concession of bail by learned Additional Sessions Judge, Ludhiana.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time and therefore, further custody of the petitioner may not be justified as co-accused is already on bail. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

06.12.2019

vanita

Whether speaking/reasoned :

Whether Reportable :

(MANOJ BAJAJ)
JUDGE

Yes

Yes

No

No