

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3230-2020 (O&M)

Date of Decision: 29.01.2020

Harwinder Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Amarinder Verma, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

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Manoj Bajaj, J.

CRM-2793-2020

Application is allowed, subject to all just exceptions.

CRM-M-3230-2020

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.196 dated 08.12.2019, under Sections 399 and 402 IPC, 1860 and Section 25 Arms Act, 1959, registered at Police Station Jodhewal, District Police Commissionerate, Ludhiana. He is in custody since his arrest on 08.12.2019.

As per the prosecution case, while the police party was on a patrol duty, a secret information was received that few suspected persons, namely, Jasprit Singh @ Jassa, Rakesh Kumar @ Kala Baman, Naresh @ Laki Gujjar, Kulwinder Singh @ Buta and Harwinder Singh were present in their car bearing No.PB-91-F-0803 with weapons and were planning to commit a robbery at a factory or petrol pump. As per the information, previously also, the said accused were involved in various other cases.

Learned counsel for the petitioner contends that the petitioner is approximately 57 years old and is a heart patient. She has invited the attention of the Court to his medical record (Annexure P-2) colly. She has further contended that the petitioner was never involved in any other case much less of a similar nature. She submits that the petitioner is presently confined in judicial custody and is not required for any interrogation etc.

On the other hand, learned State counsel assisted by ASI Surinder Pal does not dispute this fact that the petitioner is not involved in any other case. It is pointed out by her that an iron rod was recovered from him. However, the investigation of the case is almost complete.

After hearing learned counsel for the parties and considering the above, this Court is of the opinion that trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified. 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 Ludhiana.

The petition is allowed.

29.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No