

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

CRM-M No.8530 of 2020

Date of Decision: 28.05.2020

Harminster Singh @ Shally

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Amrinderjit Singh Sandhu, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

Through the present petition filed under Section 439 of the Code of Criminal Procedure, the petitioner seeks regular bail in FIR No.12, dated 15.01.2018, under Sections 406, 420, 342, 386, 364-A of the Indian Penal Code (added later on), Section 25, 27 of the Arms Act and Section 13 of the Punjab Travel Profession Regulation Act, registered at Police Station Tanda.

2. The petitioner was arrested in the present case on 06.02.2018.
3. Subsequently, investigation against him has been completed and challan submitted.
4. In the meantime, he was also implicated in Ram Nagra Rural Police Station, Ramnagra, Karnataka in Crime No.510 of 2017 under Sections 120(B), 364(A), 365, 368, 342, 323, 324, 370, 384, 385, 368, 387, 302 and 201 read with Section 34 of the IPC. He was thereafter,

granted regular bail by the Karnataka High Court in CRM-M No.8396 of 2019.

5. One of the conditions mentioned in the said bail order (Annexure P-2) is that the petitioner shall not leave the jurisdiction of the Gurdaspur District Punjab and shall also mark his attendance in his nearest police station at Chak Sharif once in a month till the conclusion of the trial in Karnataka.

6. Further indefinite detention of the petitioner in the present case in Punjab after having been undergone imprisonment well in 02 years, at this stage, is not justified.

7. In the given circumstances, at this stage, considering the long detention undergone by the petitioner, he may be released on regular bail to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned, which shall however also impose appropriate conditions to ensure that the bail order does become an excuse in any manner for the petitioner to avoid his attendance in the criminal trial going on in the State of Karnataka.

May 28, 2020
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(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No