

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

CRM-M-14943-2020(O&M)

Date of decision:-13.7.2020

Sahilpreet Singh @ Gosha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Ms.Harpreet Kaur, Advocate the petitioner.

Ms. Monika Jalota, DAG, Punjab

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This third petition for regular bail has been filed by petitioner Sahilpreet Singh @ Gosha, aged about 24 years, an accused in FIR No.42 dated 30.7.2018 for offences under Sections 399/402 IPC, registered with Police Station Smalsar, District Moga.

Briefly stated, facts of the case as per the prosecution story are that on 30.7.2018 ASI Major Singh from Police Station Smalsar, District Moga had received a secret information that Lovehira Singh @ Preet, Lovepreet Singh @ Love, Harpreet Singh @ Peeta and Happy Parkashey having car bearing registration No.PB-30/V-2403 had collected brick-bats on Kotkapura road and were armed with swords etc.; they had gathered there in connection with planning to commit

dacoity. On the basis of such information, formal FIR was recorded. A raid was conducted at the disclosed place and Sahilpreet Singh @ Gosha, Harmanjeet Singh @ Happy, Lovepreet Singh @ Love, Harpreet Singh @ Peeta and Lovehira @ Peeta were apprehended along with dangerous weapons. Zen car bearing No.PB-30/V-2403 was found to be belonging to accused Harmanjeet Singh. All the accused were arrested in this case and after completion of investigation and other formalities, they were challaned.

The applicant Sahilpreet Singh @ Gosha had filed applications for regular bail before Court of Sessions, however, those applications were dismissed by Addl. Sessions Judge, Moga. The petitioner had approached this Court seeking similar relief earlier but was unsuccessful. Now he has knocked at the door of this Court again seeking grant of regular bail, which request is being opposed by the State counsel.

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the petitioner has contended that the petitioner/acused is in custody since 30.7.2018; his co-accused have already been granted regular bail. His case is at par with them and proceedings before the trial Court have been held up on account of Corona Pandemic, as such he be granted regular bail.

Though the request has been opposed vehemently by the State counsel but I find that considering the facts and circumstances of the case and that co-accused of the petitioner have already been granted

concession of regular bail, further considering the principle of parity and the fact that the guilt of the accused shall be determined during the trial, which is at initial stage and proceedings of this case having been held up due to Corona Pandemic and further that the conclusion of trial shall take considerable time to conclude, it is found proper and appropriate to grant concession of regular bail to the petitioner. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the the trial Court/CJM/Duty Magistrate, Moga, subject to the following conditions:-

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the prosecution witnesses; and
- (iii) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard.

13.7.2020
Brij

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No