

Crl. Misc.No. M-28417 of 2020

Date of Decision:- 23.09.2020

Hardeep Singh @ Deepa

....Petitioner

vs.

State of Punjab

....Respondent

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Anterpreet Singh, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG Punjab.

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 149 dated 14.12.2019 registered at Police Station Payal, Police District Khanna, District Ludhiana under Sections 323, 324, 325, 326, 307, 506, 148, 149 IPC (Sections 341, 120-B, 201 IPC added later on) and Section 25/27 of Arms Act, 1959.

Learned counsel for the petitioner submits that the petitioner has been in custody in excess of 8 months. The trial is not likely to be concluded at an early date as charges have not yet been framed. The petitioner is not a habitual criminal and deserves to be granted regular bail. Co-accused Yadwinder Singh @ Yadu has been granted regular bail by this Court vide order dated 17.09.2020 passed in CRM-M-16295-2020. Thus, even on the principle of parity, the petitioner deserves to be granted regular bail.

Custody certificate dated 23.09.2020 has been produced in Court. The same is taken on record. According to this certificate, the petitioner has undergone actual custody of 08 months and 9 days and there is one other criminal case pending against him, in which he is on bail.

Learned State counsel admits that the trial may not be concluded at an early date and that the co-accused Yadwinder Singh @ Yadu has been granted regular bail by this Court. He, however, states that there is one other criminal case pending against the petitioner.

In response, learned counsel for the petitioner states that the petitioner is on bail in the case under the Punjab Excise Act, 1914.

Thus, it is evident that the trial is not likely to be concluded at an early date. The petitioner has been in custody for over 8 months and similarly situated co-accused Yadwinder Singh @ Yadu has been granted regular bail by this Court.

In view of the above, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate.

September 23, 2020
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(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	No