

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

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CRM-M No.43201 of 2019.

DATE OF DECISION: 12.03.2020

Sukhdev Singh alias Deban Pradhan

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE LALIT BATRA

Present: Mrs. Gursharan K. Mann, Advocate for the petitioner.

Mr. Harpreet Singh Multani, Assistant Advocate General,
Punjab.

Lalit Batra, J.(Oral)

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-Sukhdev Singh alias Deban Pradhan in case F.I.R. No.5 dated 09.01.2018 under Sections 148, 302, 307, 336 and 506 IPC read with Section 149 IPC and Section 25 of Arms Act, registered at Police Station Valtaha, District Tarn Taran.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. She further submits that petitioner is languishing in custody since 30.03.2019 and he is no more required by the Police for any investigation purpose. She further urges that after completion of investigation, challan has already been presented in the Court and trial has commenced. She further submits that allegedly fire-arm injury on the person of Sukhdev Singh (since deceased), which proved fatal, has been attributed to co-accused Gurdial Singh, whereas injuries on the person of injured-Jorawar Singh and that too by

Kaur, Jaskaran Singh, Bhola Singh and Babbu. She further submits that alleged attributed role of petitioner is that he alongwith one Sibbu and three/four unidentified persons had thrown bricks/stones towards the house of complainant. She further submits that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is languishing in custody since 30.03.2019; that he is no more required by the Investigating Agency for investigation purpose and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Sukhdev Singh alias Deban Pradhan** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Tarn Taran, as the case may be.

(LALIT BATRA)
JUDGE

12.03.2020

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