

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

**220**

**CRM-M-49862-2019  
Date of decision: 16.01.2020**

Rawal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI**

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

Mr. Arun Kaundal, DAG, Punjab.

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**ARUN KUMAR TYAGI, J (ORAL)**

The petitioner has filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.16 dated 25.02.2016 under Sections 324, 323, 341, 427, 148, 149, 380 and 356 of the Indian Penal Code, 1860 (for short, "the IPC") registered at Police Station Smalsar, District Moga, to which Section 379-B of the IPC was added lateron.

Learned State counsel has appeared and opposed the bail application.

I have heard learned counsel for the petitioner and learned State counsel and gone through the record.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. The petitioner is alleged to have caused injuries to Karam Singh with stick but all the injuries attributed to the petitioner were simple. As per the prosecution version, the gold necklace had been snatched by co-accused Maruti Singh. Co-accused Deepak Lal @ Deepu, Lakhvir Singh @ Baggi,

Vicky Singh and Mehakdeep Singh had been granted bail by the learned Additional Sessions Judge, Moga. The trial is likely to take long time and no useful purpose will be served by detention of the petitioner in custody. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State counsel has submitted that the petitioner being member of unlawful assembly actively participated in the commission of crime and does not deserve concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation against the petitioner, the fact that the trial is likely to take long time and no useful purpose will be served by keeping the petitioner in custody and the fact that the co-accused have already been granted bail by the learned Additional Sessions Judge, Moga but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**16.01.2020**

Vinay

**(ARUN KUMAR TYAGI)  
JUDGE**

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |