

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.51921 of 2019
DATE OF DECISION:02.03.2020

Sunny Masih @ Sunny

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR.JUSTICE LALIT BATRA

Present: Mr. Manbir Singh Basra, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

LALIT BATRA, J. (Oral)

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Sunny Masih @ Sunny** in case F.I.R. No.20 dated 06.04.2019 under Sections 120-B, 148, 216 and 302 IPC read with Section 149 IPC and Section 25 of Arms Act, registered at Police Station Purana Shalla, District Gurdaspur.

Reply on behalf of respondent-State has been filed and the same is taken on record.

Learned counsel for the petitioner *inter alia* contends that petitioner is in custody since 09.05.2019 and he is no more required by the Police for any investigation purpose. He further submits that after completion of investigation, challan has been presented in the Court and trial has already commenced. He further submits that allegedly petitioner was armed with *daatar*, however, no injury on the person of Ajay Salaria (since deceased) has been attributed to him. He further submits that co-accused Sandeep Kumar @

Prince, whose case falls on parity, has already been released on bail, vide order dated 16.11.2019 passed by this Court. He further urges 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 in custody since 09.05.2019; that challan has been presented against the petitioner in the Court; that trial has already commenced; that since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further and, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-Sunny Masih @ Sunny 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, Gurdaspur, as the case may be.

(LALIT BATRA)
JUDGE

02.03.2020
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No