

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

**CRM-M-29355-2021
Date of decision: 05.10.2021**

Rippy Singh @ Tend

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Arshadeep Singh Brar, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 29 dated 02.03.2021, registered under Sections 399 and 402 of the IPC at Police Station Baghapurana, District Moga.

Learned counsel for the petitioner relies upon order dated 25.08.2021, vide which co-accused Sukhraj Singh alias Raju Doctor has already been granted concession of regular bail by this Court. The operative part of the order reads as under:

“Learned counsel for the petitioner submits that the FIR was registered on a secret information received by the police that Goga Singh, Gagandeep Singh @ Gagna @ Bona, Gurcharan Singh @ Charna, Sukhwinder Singh @ Soma, Rippy Singh @ Tind, Naginder Singh @ Gori, Satnam Singh @ Kala @ Mota, Ranjit Singh @ Nag @ Faniars, Sukhraj Singh @ Raju Doctor (present petitioner) and Arshdeep Singh @ Arshu

are present in an old building near Gurudwara and they are suspicious persons armed with deadly weapons and are planning to commit the offence of snatching, theft and robbery. Upon this, an information was sent to the Police Station for registration of the FIR and raiding party was prepared.

Learned counsel for the petitioner further submits that though the petitioner was named in the FIR, however, he was never arrested at the spot. It is further submitted that petitioner is in judicial custody for the last more than 04 months and one of the co-accused, namely Naginder Singh @ Gori, who was arrested at the spot, has already been granted concession of regular bail by a coordinate Bench this Court, vide order dated 20.08.2021 passed in CRM-M-30018-2021.

Learned State counsel has filed the custody certificate and has not disputed the factual position.”

For the sake of brevity, the facts are not reproduced here again.

Learned counsel for the petitioner further submits that another co-accused Naginder Singh alias Gori has also been granted concession of regular bail by this Court, vide order dated 20.08.2021.

Learned counsel further submits that the allegations against the present petitioner are similar to that of aforesaid co-accused, who have already been granted concession of regular bail.

Learned State counsel has filed the custody certificate and has not disputed the factual position. As per custody certificate, the petitioner is in judicial custody for the last about 07 months and he is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering

the fact petitioner is in judicial custody for the last about 07 months; similarly situated co-accused have already been granted concession of regular bail as noticed above and also in view of the fact that conclusion of trial may take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

05.10.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No