

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

CRM-M-30591-2021

Date of decision-10.08.2021

Roop Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Alisha Soni, Advocate for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.0202 dated 11.12.2020 registered under Sections 399 and 402 Indian Penal Code, 1860 at Police Station Tibba, District Ludhiana. The petitioner is in custody since his arrest on 11.12.2020.

As per the prosecution case, on 11.12.2020, when the police party was present at Mohalla Star City colony, Tibba road, Ludhiana in connection with patrol duty, a secret information was received that Shubham Kirpal @ Goshal, Rahul Kumar @ Kadar, Roop Singh (petitioner), Gurwinder Singh @ Rahul and Sanjay Kumar are indulged in committing snatching by making gang. It was further informed that the above named persons armed with deadly weapons are present near unoccupied house at the back of Shankar colony and planning to

conduct a dacoity in a house. In case raid is conducted, the accused persons can be apprehended. Acting upon the information, raid was conducted and accused persons were apprehended.

Learned counsel for the petitioner has argued that no specific role has been attributed to the petitioner and as his co-accused have already been released on regular bail, therefore, the petitioner also deserve the same concession. In this regard, she has invited the attention of the Court to the order dated 12.07.2021 (Annexure P-3) passed in respect of Gurwinder Singh @ Rahul and Shubham Kairpal @ Goshal. It is pointed out that the investigation of the case is complete, therefore, further custody of the petitioner may not be necessary. She prays for bail.

On the other hand, prayer is opposed by learned State counsel assisted by ASI Umesh Kumar. However, it is not disputed that co-accused of the petitioner have already been released on bail. He on instructions further submits that charges were framed on 15.04.2021 and out of total 08 prosecution witnesses, none has been examined so far and the case is now fixed for 26.08.2021 for recording the prosecution evidence before the trial Court.

After hearing the rival submissions of learned counsel for the parties, considering the above background as well as the custody of the petitioner, this Court is of the opinion that the conclusion of trial is likely to consume considerable time, as the trial is yet to commence,

because after framing of charges on 15.04.2021, no witness has been examined so far out of total 08 prosecution witnesses, therefore, further detention of the petitioner may not serve any useful purpose, who is presently confined in judicial custody after his arrest on 11.12.2020.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

10.08.2021
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No