

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-30704-2021
Decided on : 25.08.2021

Sandeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vishal Nehra, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.212 dated 31.08.2018 registered under Sections 307, 323, 427, 148 and 149 IPC,1860 (Section 302 IPC added later on vide DDR No.29 dated 01.09.2018) at Police Station Tanda District Hoshairpur.

Learned counsel for the petitioner *inter alia* contends that it is a case of false implication. The petitioner has been in custody since 22.04.2019 and there is no likelihood of the trial concluding in the near future as only 01 out of 26 prosecution witnesses stands examined as on date. He is also seeking bail on parity as similarly situated co-accused Simar Kaur and Arjan Singh have been extended the concession of bail by this Court vide orders dated 15.11.2019 and 16.12.2019 respectively.

Per contra, learned State counsel has vehemently opposed the prayer of learned counsel for the petitioner. He on instructions from Inspector Ramandeep Singh has submitted that no doubt the petitioner has not been attributed any injury on the deceased, however, he was an active participant in the crime in question. He further submits that it was in fact a

group attack carried by all the accused, who were armed with lethal weapons. The petitioner inflicted a blow with iron bahola on one of the witnesses, who has not yet been examined before the trial Court. It has thus been submitted that in case the petitioner is extended the concession of bail there is every likelihood that he may tamper with material evidence and may also abscond as he was previously declared a proclaimed offender in the FIR in question. Learned State counsel has also opposed the submission of learned counsel for the petitioner that his case is at parity with the case of co-accused Simar Kaur and Arjan Singh. It has been submitted that the co-accused were enlarged on bail as both of them were aged 73 years and coupled with the fact that they had not absconded like the petitioner.

Heard.

Prima facie there are serious allegations levelled against the petitioner for which he does not deserve the concession of bail. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

A prayer has been made by learned counsel for the petitioner that as the petitioner has been in custody for more than two years, the trial Court be directed to expedite the trial.

Trial Court shall endeavour to expedite the trial and conclude the same preferably within a period of eight months.

(MANJARI NEHRU KAUL)
JUDGE

25.08.2021
sonia

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No