

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

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**CRM-41896-2021 in
CRM-M-46235-2021
Date of Decision: 15.12.2021**

Sheen @ Shahin Gill @ Shaheen Gill

....Applicant/Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Ms. Rajesh Kapila, Advocate for applicant/petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

CRM-41896-2021

This application under Section 482 Cr.P.C. is for grant of interim bail to applicant/petitioner during the pendency of main case, which is already fixed for 21.01.2022.

Learned counsel for applicant/petitioner submits that she does not press the instant application, however, the main case may be ordered to be preponed.

In view of above, instant application is dismissed being not pressed. However, hearing of the main petition is preponed and is taken on Board today itself.

CRM is allowed.

Main Case

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Sheen @ Shahin Gill @ Shaheen Gill** for grant of regular bail in case FIR No.17 dated 26.08.2021 under Sections 120-B, 399 and 402 IPC and Sections 25 and 27 of Arms Act, registered at Police Station State Special Operations Cell, Amritsar, District Intelligence Wing (CID) Amritsar.

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. She further submits that allegedly petitioner along with co-accused having made preparation to commit dacoity had assembled at Chamrang Road, near BSNL Exchange, Amritsar, whereas petitioner has no nexus whatsoever with the alleged offence. She further urges that petitioner is pursuing law course from V.M.S. Institute, Batala. She further submits that co-accused Sahil has already been extended concession of regular bail by Sessions Court, vide order dated 24.11.2021 (Annexure P/5). She further submits that petitioner is languishing in custody since 30.08.2021 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court. She 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 and have carefully gone through the contents of petition.

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 30.08.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Sheen @ Shahin Gill @ Shaheen Gill** 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, Amritsar, as the case may be.

(LALIT BATRA)
JUDGE

15.12.2021

Varinder Prashad

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No