IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-41738-2019 (O & M)
Date of decision:10.03.2021

Sukhwinder Singh

...Petitioner

Versus

State of Punjab .....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Monty Goyal, Advocate,
for the petitioner.

Mr. Venu Gopal Jauhar, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-3830-2020

Allowed as prayed for. Annexure P-3 (colly.) is taken on record.

CRM-24318-2020

Allowed as prayed for. Annexure P-4 (colly.) is taken on record.

CRM-M-41738-2019

Through this petition, the petitioner seeks regular bail in case FIR No.51 dated 28.03.2019, registered at Police Station Model Town, Ludhiana, under Sections 379-B (2) IPC (deleted subsequently), Section 25 of the Arms Act, 1959 and Sections 394, 397, 450 and 177 IPC (added later on).

Learned counsel for the petitioner contends that the petitioner

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has falsely been implicated in the present case; that the present FIR had been planted upon him for the reason that during interrogation in another FIR No.69 dated 28.03.2019, under Sections 307 and 34 IPC and 25 of the Arms Act, registered at Police Station Dehlon, his involvement in the present case had been revealed. Moreover, two co-accused, namely, Harbhajan Singh, who has allegedly fired a gun-shot on the police party, and Ranjit Singh @ Ranjodh Singh @ Bhola have since been enlarged on bail by the Coordinate Benches, vide orders dated 20.07.2020 and 28.08.2020 passed in CRM-M-4572-2020 and 15797-2020, respectively.

On the other hand, learned State counsel opposes the prayer made in the present petition. He submits that recovery of weapon used in the offence had been effected from the petitioner. Though challan was presented, the charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 06.04.2019. Two co-accused stand enlarged on bail, as stated above. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

10.03.2021 **(HARNARESH SINGH GILL)**
mangal singh **JUDGE**

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No

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