

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

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CRM-M-2548-2022

Date of Decision : May 09, 2022

RANJIT SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. K.S.Kahlon, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

The present 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.10 dated 24.1.2018 under Sections 3, 4, 5, 9 of Official Secrets Act, 120-B IPC and Sections 25, 54, 59 of Arms Act, registered at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 4.10.2020 and it is a case where the petitioner was not named in the FIR and his name was nominated on the basis of disclosure statement made by the other co-accused. He submitted that the petitioner has clean antecedents and is not involved in any other case. He further submitted that as per the allegation the role assigned to the petitioner was that he had only given the contact number of one person who was in Pakistan whereas the said allegation

was based upon the disclosure statement made by co-accused, namely Shamsheer Singh which is not admissible in evidence and, therefore, considering the clean antecedents of the petitioner, he may be considered for the grant of regular bail. He submitted that earlier the petitioner was declared as a proclaimed offender and thereafter he has himself surrendered before the police and now he is in custody from 4.10.2020 which is almost 19 months. He further submitted that the other co-accused who have been mentioned in the FIR have been granted bail by the learned trial Court.

On the other hand, the learned State counsel has submitted that it is correct that the petitioner is in custody from 4.10.2020 and he himself has surrendered before the police and it is also correct that the petitioner is not involved in any other case and his name was nominated on the basis of disclosure statement made by the co-accused.

I have heard the learned counsels for the parties.

It is a case where the petitioner is in custody from 4.10.2020 and his name has been cropped up on the basis of the disclosure statement made by co-accused, namely, Shamsheer Singh. The aforesaid Shamsheer Singh and the other co-accused have been granted bail by learned trial Court. As per the learned counsels for the parties, the petitioner is not involved in any other case and the challan has already been presented before the competent Court. The fact that earlier the petitioner was declared as a proclaimed offender would not come in his way for the grant of regular bail because as per the learned counsels for the parties he himself surrendered before the police.

In view of the above, this Court is of the considered opinion that the petitioner is entitled for the grant of regular bail.

Consequently the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

May 09, 2022
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No