

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

CRM-M-9350-2021

Date of decision : 29.03.2022

Ravinder Singh @ Kali @ KaliaPetitioner
Vs.

State of Punjab ...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Chander Mohan Sharma, 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.08 dated 22.01.2015 under Sections 399 and 402 Indian Penal Code, 1860 and Sections 25, 54 and 59 Arms Act, 1959 registered at Police Station Balongi, District SAS Nagar, Mohali, who is in custody since his arrest on 04.12.2020.

The allegations in the FIR, as noticed by the learned Additional Sessions Judge, SAS Nagar, Mohali in the order dated 04.12.2020 are as under:-

“Succinctly stated the instant case has been registered on the basis of ruqa sent by SI Harbhajan Singh, on 21.01.2015 at about 10:30 PM, when he along with police party was present near Village Daon and received secret information to the effect that accused Amandeep Joshi, Charanjeet Singh, Jugraj Singh, Inderpreet Singh alias Parry and Ravinder alias Kali (bail applicant) against whom some cases are already registered are now present near Palki Place on car No.CH-03-W-8421

armed with illegal fire arms and ammunition and are making preparation to commit dacoity. The informer had heard their conversation. The informer further informed that if raid is conducted then they can be apprehended while making preparation to commit dacoity. As the information was credible, so a ruqa was sent to the police station. Thereafter, raid was conducted and accused Charanjeet Singh alias Charan, Amandeep Joshi alias Rajbir Joshi and Jugraj Singh alias Jaggi were apprehended. From possession of accused Charanjeet Singh alias Charan .315 bore country made pistol along with its one live cartridge was recovered. From possession of Jugraj Singh alias Jaggi .315 bore country made pistol along with its one live cartridge was recovered. From possession of accused Amandeep Joshi a Kirch along with its black colour cover was recovered. Accused were also having with them car No.CH-03-W-8421. Accused Inderpreet Singh alias parry and Ravinder Singh alias Kali (bail applicant) succeeded in running away. However, bail applicant Ravinder Singh alias Kali was later on arrested on 01.04.2015 when he was in custody in FIR No.36 of 2015, under sections 307,353, 186, 332 IPC read with Section 25 of the Arms Act.”

Learned counsel for the petitioner has argued that the subject FIR was registered in 2015 and at the initial stage, the petitioner was released on regular bail, however, during trial proceedings, he absented and later on declared proclaimed offender vide order dated 09.11.2017. He submits that the petitioner was re-arrested on 04.12.2020 and since then, he is confined in prison, but as the trial is not making any headway, he be released on regular bail.

On the other hand, learned State counsel assisted by ASI Surinder Singh has referred to the reply filed by way of an affidavit of Deepak Rai, PPS, Deputy Superintendent of Police, Sub Division Kharar-I, District SAS Nagar and argued that the petitioner is involved

in four more cases and in case he is released on regular bail, he may again abscond. However, it is not disputed that previously the petitioner was granted the concession of regular bail. He on instructions further states that except for this case, petitioner is not in custody in any other case and charges against him are yet to be framed.

Considering the above background, length of the custodial period of the petitioner and the fact that the trial is yet to commence, this Court is of the opinion that the conclusion of trial is likely to consume considerable time as charges are yet to be framed, therefore, further detention of the petitioner may not serve any useful purpose, who is presently confined in judicial custody after his arrest on 04.12.2020.

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/Duty Magistrate concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

29.03.2022

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