

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

CRM-M-26952-2021 (O&M)

Date of decision: 13.01.2022

Inderjit Singh @ Vicky

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. A.S. Sandhu, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.234 dated 06.12.2020, registered at Police Station Dharamkot, District Moga, under Sections 307, 379-B, 353, 186, 188 and 34 IPC, Section 25 of the Arms Act, 1959 (added subsequently) and Section 51 of the Disaster Management Act, 2005.

Learned counsel for the petitioner submits that as per the allegations, the petitioner and co-accused had snatched the mobiles and AK-47 rifle from complainant-SI Major Singh. The petitioner has been in custody since 14.12.2020. The recovery of AK-47 and mobile phone, has been effected from co-accused Ajay and Harpreet Singh, respectively. He further submits that all other co-accused, who alleged to have inflicted

injuries upon the police officials, are on bail and seeks parity with them. As far as other cases are concerned, the petitioner is on bail, in the said case.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner cannot claim parity with other co-accused, who inflicted injuries upon the police officials and are on bail, as recovery of .315 pistol along with live cartridges was effected from him. However, he does not dispute the custody period of the petitioner. He submits that charges have been framed, but no prosecution witness has been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 14.12.2020. The prosecution witnesses are yet to be examined. The conclusion of the trial would taken a long time. Moreover, in other cases, the petitioner is on bail. All other co-accused who alleged to have inflicted injuries upon the police officials, are on bail. Hence, 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 petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

13.01.2022
Mangal Singh

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