

CRM-M-28723-2021

Date of Decision: 08.02.2022

Bhinder Singh @ Bhinda

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Jasmeet Singh Bhatia, Advocate, for the petitioner.

Mr. Sidakmeet Sandhu, A.A.G, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

This petition has been filed under the provisions of Section 439 of the Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No. 50 dated 22.04.2020, registered at Police Station Sadar, Police District Khanna, for the alleged commission of offences punishable under the provisions of Sections 420/465/468/471/269 of the IPC, Section 61 of the Punjab Excise Act, 1914 and Section 51 of the Disaster Management Act, 2005.

Learned counsel for the petitioner submits that all other co-accused of the petitioner have been admitted to bail by this court vide orders passed at different points of time in different cases, one such order being in CRM-M-26264-2020 on 11.09.2020 (copy Annexure P-4), which, in turn, refers to an order earlier passed on 26.08.2020 in CRM-M-21536-2020.

He submits that even as per the reply filed by the Superintendent of Police (Investigation), Khanna, the petitioners' role would not be seen to

be any different from the other co-accused, with his name in fact having been allegedly disclosed by Jatinderpal Singh (and others), Jatinderpal Singh being one of those who was admitted to bail on 11.09.2020 upon filing CRM-M-26264-2020.

Upon query to learned State counsel, though he otherwise opposes the petitioner being admitted to bail in view of the fact that a large quantity of liquor was recovered in the occurrence in question, but otherwise he could not deny that the petitioner would not be differently placed to those who have been admitted to bail.

Learned counsel for the petitioner has also submitted that the petitioner has been in custody for almost 1½ years with no prosecution witnesses examined so far.

That factual position also could not be denied by learned State counsel.

That being so, without making any comment on the actual merits of the case, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Duty Magistrate/Chief Judicial Magistrate concerned.

The reply filed by the SP (Investigation), is ordered to be taken on record.

February 08, 2022
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.