

CRM-M-26381-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26381-2022

Date of decision: 29.11.2022

Sukhdev Singh @ Teji

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Gurpal Singh Sandhu, Advocate,
for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.78 dated 13.04.2022, registered at Police Station City Malout, District Sri Muktsar Sahib, under Sections 399 and 402 IPC (Section 411 IPC and Sections 25 and 27 of the Arms Act, 1959 added later on).

Learned counsel for the petitioner submits that as per the prosecution version, the petitioner alongwith the co-accused was plotting to commit a dacoity; that as a matter of fact, no such occurrence had taken place; that the petitioner has been in custody since 13.04.2022; that challan has already been presented, and that four co-accused have since been granted the concession of regular bail. So far as other cases registered or pending against the petitioner, are concerned, he has been released on bail therein.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that when the petitioner was

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apprehended, he alongwith the co-accused was in the process of committing dacoity; that recovery of Wagonr Car and one countrymade pistol was already effected from the petitioner, and that the petitioner is a habitual offender.

I have heard the learned counsel for the parties.

It is the case of the prosecution that the petitioner alongwith the co-accused was plotting to commit a dacoity. However, no dacoity was committed. Recovery has already been effected from the petitioner. As stated above, four co-accused have since been granted the concession of regular bail.

Challan has already been presented. The petitioner has been in custody since 13.04.2022. Trial of the case would take time to conclude. Moreover, the petitioner has since been released on bail in other cases registered or pending against him. 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.

29.11.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No