

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

221

CRM-M-27794-2022(O&M)

Date of decision: 06.07.2022

RAJANDEEP SINGH ALIAS RAJAN

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. V.K. Sandhir, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG Punjab.

VINOD S. BHARDWAJ. J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.102 dated 04.04.2016 under Sections 379-B and 411 of the Indian Penal Code, 1860 registered at Police Station Civil Lines Amritsar..

Learned counsel for the petitioner *inter alia* contends that the petitioner was facing the trial after having been enlarged on bail in the aforesaid case, however, he did not appear before the trial Court, whereupon he was declared as a proclaimed person vide order dated 13.08.2019. Learned counsel for the petitioner submits that he was produced by way of production warrants on 31.08.2021 as he was already in custody in some other case. It is also pointed out that vide judgement dated 21.01.2020, the co-accused of the petitioner in the same FIR has been acquitted as the prosecution witnesses did not testify in support of the prosecution case and did not identify the co-accused.

It is contended that the role of the petitioner is not at variance with the co-accused. In any case, he shall continue to appear in the trial Court to face the proceedings against him.

It is further submitted by the counsel for the petitioner that similarly

placed co-accused Sajandeep Singh @ Sajan has already been granted the concession of regular bail by this Court in CRM-M-7816-2022 order dated dated 16.03.2022.

Learned State counsel has filed the custody certificate, as per which there are as many as six more cases registered against the petitioner. It is however not disputed by the learned State counsel that the petitioner has already been granted the concession of regular bail in the said cases. He further does not dispute the fact that the co-accused has been acquitted in the instant FIR and another co-accused Sajandeep Singh has been granted the concession of regular bail.

I have heard learned counsel for the parties and have perused the material on record.

Taking into account the period of custody and also the fact that the co-accused has been extended the concession of bail by this Court, I deem it appropriate to enlarge the petitioner on bail to the satisfaction of the trial Court.

Accordingly, the present petition is allowed and the petitioner is admitted to regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

July 06, 2022

S.Sharma(syr)

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>