

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M-43113 of 2022

Date of Decision: December 12, 2022

Seepa Singh @ Peetu @ Sunny

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- Mr. Fatehjeet Singh, Advocate
for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.154 dated 13.08.2021, under Sections 399 and 402 IPC (Section 411 IPC added lateron and Section 473 IPC was added in place of Section 482 IPC), registered at Police Station Sadar Faridkot, District Faridkot.

Learned counsel contends that the petitioner has been in custody since 16.08.2021 and co-accused Komalpreet Singh and Rajan Singh who are similarly circumstanced as the petitioner have since been granted bail by this Court vide order dated 12.07.2022 (Annexure P-2) and 15.09.2022, respectively. He further submits that against the said accused also there were 4 FIRs as are against the petitioner also wherein petitioner is on bail. He further submits that only 04 witnesses out of 12 witnesses have been examined so far.

Learned State counsel opposes the bail on the ground that the petitioner was armed with khanda in order to commit the offence and there are

other cases also against him but he is unable to controvert the fact that petitioner has been in custody since 16.08.2021 and only 08 witnesses, out of 12 have been examined.

Heard.

In view of the facts and circumstances of the case, in particular that the petitioner has been in custody since 16.08.2021; only 08 witnesses, out of 12 have been examined; two similarly placed co-accused have already been granted bail; the trial is likely to take a considerable time, his further detention behind bars would not serve any useful purpose thus, the present petition for grant of regular bail deserves to be allowed.

Resultantly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to him not being required in any other case. The petitioner shall abide by the following conditions:-

1. The petitioner will not tamper with the evidence during the trial.
2. The petitioner will not pressurize/ intimidate the prosecution witnesses.
3. The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
4. The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
5. The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
6. The petitioner shall not in any manner misuse his liberty.
7. The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the appellant seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
8. The petitioner shall deposit his passport, if any, with the Trial Court

forthwith and in case, he does not have the passport, he shall furnish a specific affidavit in this regard.

It is made clear that in case of breach of any of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

December 12, 2022
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(AMAN CHAUDHARY)
JUDGE

Whether reasoned/speaking:
Whether reportable:

Yes/No
Yes/No