

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

207

CRM-M-57951-2022

Date of decision: 16.12.2022

SUKHDEEP SINGH @ SUKHA

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Amandeep Sharma, Advocate for
Mr. Amandeep Singh Manaise, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG Punjab.

DEEPAK MANCHANDA, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. For grant of regular bail pending trial in case FIR No.76 dated 29.09.2021 under Sections 454 and 380 IPC, registered at Police Station Ghuman Kalan, District Gurdaspur.

As per the allegations levelled in the FIR, on 29.09.2021, complainant Gurmeet Kaur stated that on 20.09.2021 at 12 Noon, the complainant after locking her house had gone to Gurudwara Sahib in the Village to attend a bhog ceremony. When she returned back to her home, she found the main gate of her house open and locks of her room were broken. On checking, it was found locks of almirah and iron box were also broken. It was alleged that gold jewellery, Rs.6,000/- in cash, two ATM cards and pistol .32 bore were found to be stolen.

Learned counsel for the petitioner has argued that petitioner has been implicated in false case after 11 months of the occurrence on the basis

of his own disclosure statement made during investigation in another FIR No.254 dated 30.08.2022 under Section 25, 27 Arms Act, PS Civil Lines, Batala, District Gurdaspur. He further submits that charges have been framed on 16.11.2022 and in total, there are 13 prosecution witnesses but till date no witness has been examined and as the trial is likely to take time to conclude. Therefore, he be released on regular bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Satnam Singh has opposed the aforesaid prayer and filed his custody certificate. However, he has not disputed that charges have been framed and till date no witness has been examined so far out of total 13 prosecution witnesses. Learned State counsel further submits that the petitioner is involved in 7 other cases of similar nature but is, however, on bail in all the cases.

Considering the above background, and the fact that charges have already been framed and the prosecutions witnesses are yet to be examined, further detention of the petitioner may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed

December 16, 2022

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(DEEPAK MANCHANDA)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No