

Crl. Misc. No. M-1452 of 2023

Date of Decision: January 17, 2023

Gurpreet Singh @ Shami

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Parampreet Singh Paul, Advocate
for the petitioner

Mr. Gurpal Singh Dhillon, AAG Punjab

Sudhir Mittal, J. (Oral)

This petition has been filed for grant of regular bail in case FIR No. 89 dated 10.05.2020, registered at Police Station Lalru, District SAS Nagar, Mohali, under Sections 323, 341, 506, 148, 149 IPC and Section 302 IPC added later on.

Learned counsel for the petitioner submits that the petitioner has undergone actual custody in excess of 2 ½ years and there is no other criminal case pending against him. The trial is not likely to be concluded at an early date as only 01 PW has been examined out of a total of 25 PWs. The alleged role of the petitioner in incident was of throwing brickbats only and the Supreme Court has granted regular bail to those who were accused of throwing brickbats as well as hitting the deceased with dandas. Thus, the petitioner may be granted regular bail.

Custody certificate dated 16.01.2023 checked by Sh. Rajdeep Singh Brar, Deputy Superintendent, New District Jail, Nabha has been filed in the Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 02 years, 08 months and 02 days and there is no other

Learned State counsel concedes that only 01 PW has been examined out of a total of 25 PWs.

Thus, keeping in view the custody period as well as the fact that the trial is not likely to be conducted at an early date, I deem it appropriate to grant regular bail to the petitioner. The petition is allowed and the petitioner is directed to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

January 17, 2023

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No