

ROBIN SAINI

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Munish Puri, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG Punjab.

DEEPAK MANCHANDA J.

The petitioner is seeking regular bail in the case bearing FIR No. 108 dated 25.08.2022 under Sections 379-B and 34 of the Indian Penal Code, registered at Police Station Sujanpur District Pathankot.

Custody certificate filed and the same is taken on record.

Learned counsel for the petitioner submits that inadvertantly a wrong order i.e. Annexure P-3 has been annexed with the present petition, which is in reference to FIR No. 91 dated 23.07.2022, while the co-accused namely Jagwinder @ Jagwinder Pal @ Bhagga has been granted regular bail by this Court and placed on record order dated 05.01.2023, passed in CRM-M-55297-2022 and claims parity with the aforesaid co-accused, as similar role has been attributed to the present petitioner and further no other case is pending against the petitioner.

On the other hand, learned State Counsel has filed his custody certificate but could not dispute the fact co-accused has been granted regular bail by this Court.

Having heard learned counsel for the parties and gone through the case file and custody certificate, it is significant to note that the petitioner is in custody for a period of 05 months and 07 days. Investigation of the case has been completed. Conclusion of the trial shall take considerable long time and

co-accused has been granted regular bail. No useful purpose would be served by keeping the petitioner in further incarceration.

As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

02.02.2023
Ajay Goswami

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No