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

\*\*\*\*

**CRM-M-4555-2023**

**Date of Decision: 03.02.2023**

Gursimranjit Singh @ Baba @ Sodhi

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. Umesh Sharma, Advocate,  
for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

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**JASGURPREET SINGH PURI, J. (ORAL)**

This is the second petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.222, dated 19.08.2020, under Sections 489-A, 489-B, 489-C, 489-D & 34 IPC, registered at Police Station City Hoshiarpur, District Hoshiarpur.

Learned counsel for the petitioner submitted that the petitioner is in custody since 19.08.2020, which is almost 2½ years and 2 out of 10 witnesses have already been examined. He further submitted that it is a case where the allegation against the petitioner and the other co-accused was that they possessed some counterfeit currency. He also submitted that the petitioner has been falsely implicated in the present case and charges in the present case were framed on 01.11.2021 but till date only two witnesses have been examined and further submitted that although there are two more cases against

the petitioner but the same pertain to Mining Act and the Excise Act, and therefore, the same cannot become a ground for denial of bail to the petitioner.

Learned counsel for the petitioner further submitted that the other co-accused, namely, Harjinder Bharti, who is at parity with the present petitioner, has been extended the benefit of regular bail by this Court on 21.12.2022 vide Annexure P-4. Furthermore, two other co-accused, namely, Sodhi Ram @ Sodhi and Amrinder Singh @ Suraj have also been extended the benefit of regular bail by this Court vide Annexures P-2 & P-3 respectively. He submitted that considering the aforesaid facts and circumstances and also considering the long custody of the petitioner which is almost 2½ years, the petitioner may be considered for the grant of regular bail.

On the other hand, Ms. Akshita Chauhan, learned DAG, Punjab has submitted that it is correct that the petitioner is in custody from 2½ years and only two witnesses have been examined till date. She further submitted that the petitioner is involved in two more cases although they pertain to Mining Act and the Excise Act but since the matter is serious in nature, the petitioner may not be granted the benefit of regular bail. She has however submitted that the aforesaid co-accused, namely, Harjinder Bharti, who is at parity with the petitioner has been extended the benefit of regular bail by this Court vide Annexure P-4.

I have heard the learned counsel for the parties.

The petitioner has already faced incarceration for almost 2½ years. Two witnesses have also been examined. The aforesaid co-accused has already been extended the benefit of regular bail by this Court vide Annexures P-2 to P-4. The pendency of other cases against the petitioner particularly

under the Mining Act and the Excise Act would not become a bar for grant of regular bail to the petitioner. Apart from the above, it is neither the case of the State nor it has been argued by the learned State counsel that in case the petitioner is released on bail then he may abscond or flee from justice or may influence the witness or may tamper with the evidence.

Therefore, considering the aforesaid facts and circumstances of the present case and also considering the long custody of the petitioner, which is 2½ years, this Court deems it fit and proper to grant regular bail to the petitioner. Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

**03.02.2023***Bhumika***(JASGURPREET SINGH PURI)  
JUDGE**

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable:        | Yes/No |