

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.211

CRM-M-7490-2023 (O&M)

Date of decision : 29.03.2023

Jaswinder Singh @ Ghoda @ Maninder @ Samosa Petitioner

VERSUS

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. N.S. Sidhu, Advocate, for the petitioner.

Mr. G.S. Dhillon, AAG, Punjab

SUDHIR MITTAL, J. (Oral)

Status report dated 28.03.2023 has been filed on behalf of the State. The same is taken on record. A copy thereof has been supplied to learned counsel for the petitioner.

The petitioner seeks regular bail in case FIR No.128 dated 19.09.2022, registered at Police Station Raman, District Bathinda, under Sections 387, 336, 506, 34 IPC and Sections 25 & 27 of the Arms Act, 1959 (Sections 120-B, 201 IPC and Section 25(6) of the Arms Act, 1959 added later on).

Learned counsel for the petitioner submits that the petitioner has been implicated in this case only on the statement of a co-accused, namely, Manpreet Singh @ Manna. He has been in custody for over 05 months. The trial is not likely to be concluded at an early date as charges have not yet been framed. Thus, the petitioner may be granted regular bail.

Custody certificate dated 27.03.2023 checked by Sh. N.D.

Negi, Jail Superintendent, Central Jail, Bathinda, has been filed in Court.

The same is taken on record. A perusal thereof shows that the petitioner has

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been in custody for 05 months and twenty nine days and there are 02 other criminal cases pending against him, one of which is under the NDPS Act, 1985 and the other is under Sections 379, 411 IPC .

Learned counsel for the petitioner submits that the petitioner has been acquitted in the case under NDPS Act, 1985 and is on bail in the other criminal case.

Learned State counsel then submits that the petitioner has been nominated on the disclosure of a dreaded gangster who is a member of the Lawrence Bishnoi gang. Thus, he is a notorious person and does not deserve the concession of regular bail.

From the aforementioned arguments, it is evident that the petitioner has been in custody for 05 months and 29 days and the trial is not likely to be concluded at an early date. In the pending criminal cases, the petitioner has been acquitted in the case registered under the NDPS Act, 1985 and is on bail in the other case which is registered under Sections 379 & 411 IPC. Had he been a dreaded criminal, he would not have been an accused in a case of simple theft. Taking all these factors into consideration, I am of the opinion that the petitioner deserves the concession of regular bail. The petition is allowed and it is directed that the petitioner be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

29.03.2023
Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes

No