

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.214

CRM-M-9720-2023 (O&M)

Date of decision : 28.02.2023

Sukhdeep Singh @ Nikka

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. K.K. Thakur, Advocate, for the petitioner.

Mr. Harkanwarjit Singh, AAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.0039 dated 22.03.2021, registered at Police Station Mehtiana, District Hoshiarpur, under Sections 115 & 120-B IPC, Section 25 of the Arms Act, 1959 and Sections 17, 18, 18-B & 20 of Unlawful Activities Prevention Act, 1967.

Learned counsel for the petitioner submits that the petitioner has been in custody for more than 1 ½ year. The trial is not likely to be concluded at an early date as only 02 PWs out of a total of 31 PWs have been examined as yet. Identically situated co-accused, namely, Baljit Kumar @ Baljit Singh @ Rinku has been granted regular bail by this Court vide order dated 09.02.2023. Thus, the petitioner may be granted regular bail.

Custody certificate dated 27.02.2023 checked by Sh. Anurag Kumar, Jail Superintendent, Central Jail, Hoshiarpur has been submitted in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 01 year, 11 months and 08 days and there is no other criminal case pending against him.

Learned State counsel concedes that only 02 PWs out of a total of 31 PWs have been examined till date and that the petitioner is identically situated as aforementioned Baljit Kumar @ Baljit Singh @ Rinku.

It is thus, evident that the trial is not likely to be concluded at an early date. The petitioner deserves to be granted regular bail on the principle of parity as well as in view of the period of custody already undergone.

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

28.02.2023
Ramandeep Singh

Whether speaking / reasoned

Yes

Whether Reportable

No