

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-14275-2023 (O&M)
Date of decision: 16.08.2023

RAVINDERIQBAL SINGH @ RUBAL

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Baldev Singh Mann, Advocate for the petitioner
Mr. Gurdarshan Singh Sidhu, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

1. The petitioner has filed this petition seeking grant of regular bail in case FIR No.31 dated 17.04.2021 under Sections 392/395/384 of the IPC and Sections 21, 22, 29 of the NDPS Act, 1985, Section 25 of the Arms Act, (with Sections 465, 467, 468, 471, 511, 120-B IPC and Section 30 of the Arms Act, 1959, added later on), registered at Police Station Sadar Kurali, District SAS Nagar.
2. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the petitioner along with co-accused Harmanjit Singh, was apprehended in a Verna Car; that the car was being driven by co-accused Harmanjit Singh and the petitioner was sitting in the Car; that no recovery was effected from the Verna Car or the petitioner

and co-accused Harmanjit Singh; that the petitioner has been in custody for the last 02 years, 03 months and 14 days; that as far as other cases are concerned, in two cases after conviction the petitioner has undergone the sentence and in other cases, he is on bail; that petitioner is seeking parity with co-accused Harmanjit Singh, who is also facing trial and has already been granted bail and that out of 42 prosecution witnesses, none has been examined so far.

3. Learned State counsel, while vehemently opposing the prayer for bail submits that though no recovery has been effected from the petitioner in the present case, but fact remains that he is a habitual offender and is involved in other cases also, out of which he stands convicted in two cases, thus, he does not deserve the concession of regular bail. Material witnesses are yet to be examined. However, he does not dispute the custody period of the petitioner.

4. I have heard the learned counsel for the parties.

5. The petitioner has been in custody for the last 02 years, 03 months and 14 days. No recovery has been effected from the petitioner in the present case and co-accused Harmanjit Singh, who is similarly situated to the petitioner has already been granted bail. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. As far as other cases are concerned, in two cases wherein the petitioner was convicted has undergone the sentence and in other cases he is on bail. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

6. In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

16.08.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No