

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

214**CRM-M-15611-2023****Date of Decision: 29.05.2023**

Namit @ Naveet Sharma

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Lakshay Bector, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

GURBIR SINGH, J.(ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 132 dated 07.09.2022 under Sections 307, 336, 160 and 120-B of IPC, 1860 and Section 25 of the Arms Act (offence under Sections 379, 411 of IPC added lateron), registered at Police Station Division No.3, District Ludhiana.

2. Learned counsel for the petitioner submits that the petitioner was already in judicial custody at the time of alleged occurrence and he had not participated in the alleged occurrence. It is a case of no injury. The co-accused have already been granted bail in CRM-M-93-2023 and CRM-M-2388-2023 decided on 14.03.2023 by this Court. The petitioner is entitled to bail on the ground of parity. The petitioner is in custody since 23.09.2022.

3. The State counsel has opposed the petition but has fairly conceded that the petitioner is in custody since 23.09.2022 and his case is

not different from the case of co-accused Shivam Mota alias Shubham Arora, who has already been granted bail by this Court vide above referred CRM-M-93-2023 on 14.03.2023.

4. Heard.

5. The case of the prosecution is based on secret information, however, the prosecution has no connecting evidence, if anybody suffered injury. Challan has already been presented. The petitioner is in custody since 23.09.2022, the completion of trial will take long time, no useful purpose would be served by keeping the petitioner behind bars for a long period. The petitioner is entitled to concession of regular bail on parity with co-accused Shivam Mota alias Shubham Arora, who has already been granted bail by this Court vide above referred CRM-M-93-2023 on 14.03.2023

6. Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/ surety bonds, to the satisfaction of learned trial Court/ Duty Magistrate, concerned.

7. However, nothing contained herein above shall be construed as an expression of opinion on the merits of the case.

(GURBIR SINGH)
JUDGE

29.05.2023
Satyawar

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