

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

219

CRM-M-17707-2023

Date of Decision :-18.07.2023

Nandan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nandan Jindal, Advocate for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

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Harsimran Singh Sethi, J. (Oral)

Status report filed by the learned State counsel in the Court today is taken on record.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.200 dated 29.08.2016 registered under Sections 392 & 382 of the IPC (Sections 411, 120-B and 201 of the IPC added later on) and Sections 25, 27, 54 and 59 of the Arms Act, 1959 at Police Station Rama Mandi, District Jalandhar.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR and he has only been roped in the present case on the basis of the disclosure statement of the co-accused namely, Rohit. Learned counsel for the petitioner further submits that there is no other material, which has come on record except the disclosure statement of the co-accused, Rohit, who has already been granted the concession of regular bail by the Coordinate Bench of this Court while passing order in CRM-M-

24112-2021 hence, the petitioner be also granted the concession of regular bail.

Learned State counsel concedes the factum that the petitioner has only been roped in the present case on the basis of the disclosure statement of the co-accused Rohit, who has already been granted the concession of regular bail by the Coordinate Bench of this Court while passing order in CRM-M-24112-2021. He further concedes the fact that no recovery of contraband has been effected from the petitioner.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the facts and circumstances of the presnet case, where no recovery of contraband has been effected from the petitioner and that the petitioner has been roped in the present case on the basis of the disclosure statement of the co-accused, who has already been granted the concession of regular bail by the Coordinate Bench of this Court while passing order in CRM-M-24112-2021, no useful purpose will be achieved by keeping the petitioner behind the bars during the entire period of trial especially, when learned counsel for the petitioner has undertaken before this Court that the petitioner will not obstruct the trial or influence the witnesses, whose statements are yet to be recorded, in any manner. In case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall

not be construed to be an expression of any opinion on the merits of the case.

July 18, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No