

216 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-19442-2023
DECIDED ON: 26th APRIL, 2023

SONU SINGH

PETITIONER

VERSUS

STATE OF PUNJAB

RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Ms. Riffi Birla, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. This is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No. 78, dated 11.05.2022, under Section 304 IPC registered at Police Station City-I, Abohar, District Fazilka.

2. Learned counsel for the petitioner submits that the earlier petition filed by the petitioner was dismissed as withdrawn vide order dated 30.09.2022 passed in CRM-M-41709-2022. She further submits that the changed circumstance in the present case is that the co-accused namely Ravinder Singh @ Sunny, who is similarly situated with the present petitioner has already been granted the concession of regular bail by this Court vide order dated 09.03.2023 passed in CRM-M-57129-2022.

3. The custody certificate of the petitioner filed by the counsel for State is taken on record. As per the custody certificate the petitioner has undergone the incarceration for a period of 11 months and 15 days and is not involved in any other case of any nature, as is evident from the custody certificate. He does not dispute the fact that the petitioner is at par with his co-accused namely Ravinder Singh @ Sunny, who has already been granted the concession of regular bail.

4. Having heard learned counsel for the respective parties.

5. Considering the custody period undergone by the petitioner so far and the fact that the co-accused namely Ravinder Singh @ Sunny who is similarly situated with the present petitioner has already been granted the concession of bail added with facts that challan stands presented where conclusion of trial shall take sufficient long time, this Court is of the considered view that no fruitful purpose would be served by keeping the petitioner behind the bars any more.

6. In view of afore-said discussions, the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

7. The present petition stands allowed in the above terms.

8. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

(SANDEEP MOUDGIL)
JUDGE

26th APRIL, 2023

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