

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-22893-2023  
Date of Decision: May 11, 2023

HARPREET SINGH @ HAPPY ..... Petitioner  
Versus  
STATE OF PUNJAB ..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Malkiat Singh, Advocate for the petitioner.  
Mr. Amit Shukla, AAG, Punjab.

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HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of bail in case FIR No.10 dated 22.01.2022 registered under sections 379-B(2) and 201 of IPC & Sections 25, 54 and 59 of Arms Act at P.S. Sadar Patti, Tarn Taran.
2. As per the allegations levelled in the FIR, the petitioner along with other accused entered a medical shop and robbed the owner of Rs.80,000 at gun-point.
3. In the present case, learned counsel for petitioner submits that investigation already stands concluded with the filing of challan followed by framing of charges on 03.11.2022 and the petitioner is behind the bars for a period of 1 year, 2 months and 21 days whereas out of 11 prosecution witnesses none have been examined so far and thus the trial is likely to take some time. He further submits that the petitioner has been implicated in few other cases merely on the basis of his own confessional statement in FIR No.18 dated 11.02.2022.

4. On the other hand, learned State counsel vehemently opposes the prayer made in the present petition while referring to the antecedents of petitioner as per which he has been involved in 5 other cases of similar nature.

5. I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made on behalf of the petitioner.

6. Considering the fact that the petitioner has already suffered incarceration for a period of 1 year, 2 months and 21 days and trial is likely to take some time as out of 11 prosecution witnesses none has been examined so far, moreover, as per the information provided by learned counsel for petitioner, the petitioner is on bail in three of the cases whereas regarding the other two his application for grant of bail is pending before this Court, accordingly, I do not find any reason to extend the incarceration of the petitioner. Although the antecedents are of some relevance, however, for the purpose of grant of regular bail, the allegations in the present FIR are to be seen primarily.

7. Without commenting upon merits of the present petition, the same is allowed. Petitioner is ordered to be released on bail subject to his furnishing of adequate bail bonds/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

11.05.2023

Tejwinder

( **HARKESH MANUJA** )  
**JUDGE**

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|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |