

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 28105-2022 (O&M)
Date of Decision: 22.02.2023

Ranjeet Singh

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Impinder Singh Dhaliwal, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G., Punjab.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 78 dated 13.04.2022, under Sections 399, 402 IPC and later on added Sections 411 IPC and Sections 25, 27 of Arms Act, 1959 registered at Police Station City Malout, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that the petitioner is in custody since 13.04.2022. Learned counsel submits that the petitioner was apprehended on the basis of a secret information and the allegations qua the petitioner are that he along with other co-accused armed with deadly weapons was planning to commit a dacoity, though no such occurrence took place and that recovery of one iron rod was shown to have been effected

from the petitioner. Learned counsel for the petitioner further claims parity and submits that the co-accused namely Sukhwinder Singh alias Sukh and Sukhdev Singh alias Teji have been allowed regular bail by the Co-ordinate Bench of this Court. So far as other cases registered or pending against the petitioner are concerned, he has been acquitted or undergone the sentence in those cases. It is contended that the challan stands presented and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Custody certificate along with the reply has been filed by the respondent-State, which are taken on record. Even though learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature and there are other cases pending against him, however, does not dispute the fact that challan stands presented and other co-accused namely Sukhwinder Singh alias Sukh and Sukhdev Singh alias Teji have been granted bail.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 13.04.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since two of the co-accused accused have been granted concession of bail and the challan stands presented and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind the bar.

Resultantly, without meaning any expression of opinion on the

merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned, on the following conditions:-

1. *he shall appear before the Court on each and every date of hearing;*
2. *he shall not give any threat or intimidation to the prosecution witnesses;*
3. *he shall not leave India without prior permission of the Court.*

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any terms and conditions on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of his bail.

The petition is allowed.

(DEEPAK MANCHANDA)

JUDGE

22.02.2023

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