

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

**CRM-27541-2023 &
CRM-27546-2023 in/and
CRM-M-27314-2023
Decided on:-14.07.2023**

Shakti Singh

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. S.S. Rana, Advocate and
Mr. Arvind Kumar Sharma, Advocate,
for the petitioner.

Mr. Sehajbir Singh Aulakh, AAG, Punjab.

HARKESH MANUJA J.

CRM-27541-2023

Prayer in this application is for preponement of the date of hearing
of the main case from 19.09.2023 to an early date.

Notice of the application.

Mr. Sehajbir Singh Aulakh, AAG, Punjab accepts notice on behalf
of the respondent-State and raises no objection regarding preponement of the
date of hearing of the main case.

In view of the above, having gone through the contents of the
application, sufficient cause has been made to prepone the date of hearing of
the main case, the same is allowed and the date of hearing of the main case
is preponed from 19.09.2023 to today itself for final hearing.

CRM-27546-2023

Application is allowed as prayed for. Documents (Annexure A-1 to A-2) are taken on record, subject to all just exceptions. Be tagged at appropriate place.

Main case

1. By way of second petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial in case FIR No.0089 dated 12.06.2022, under Sections 384 and 506 IPC, registered at Police Station Division No.2, Ludhiana, District Ludhiana, Punjab.
2. The allegations levelled against the petitioner are that he along with his co-accused demanded Rs.10,00,000/- from the complainant projecting themselves to be the members of “Lawrence Bishnoi and Goldy Brar group”, otherwise he would be killed.
3. Learned counsel for the petitioner submits that the petitioner is in custody for the last more than 1 year and 1 month now, and the investigation in the present case already stands concluded with the filing of challan, however, charges have not been framed so far, thus, the trial is likely to take some time. He further submits there is no other criminal case pending against the petitioner except the present one.
4. On the other hand learned State counsel opposes the prayer made on behalf of the petitioner while submitting that there are serious allegations against the petitioner.
5. On a specific query put to learned State counsel, he on instructions from ASI Surjit Singh submits that even the person to whom the alleged

account No.20473485099 and IFSC Code SBIN-0018520 belongs, his statement has not been recorded by the police during the investigation.

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

7. Considering the fact that the petitioner is not involved in any other criminal case and is behind the bars for the last 1 year & 1 month by now, the investigation in the present case already stands concluded with the filing of *challan* on 13.08.2022, however, the charges have not been framed so far and the trial has not thus commenced, I do not find any reason to extend the incarceration of the petitioner any further.

8. Without commenting anything on the merits, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

14.07.2023

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No