

2023:PHHC:077097

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

Sr. No.206

**CRM-M-33262-2022 (O&M)  
Date of Decision : May 26, 2023**

Dharminder Singh @ Goli

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. Baldev Singh Maan, Advocate, for the petitioner.  
Mr. Kamalpreet Bawa, AAG, Punjab.  
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**SUDHIR MITTAL, J. (ORAL)**

**CRM-408-2023**

Allowed as prayed for.

Documents annexed with the application are taken on record.

**CRM-M-33262-2022**

This petition has been filed for grant of regular bail in FIR No.113, dated 05.05.2016, registered at Police Station Sultanwind, District Amritsar, under Sections 307, 148, 149 of IPC and Sections 25, 27 of Arms Act, 1959 (Sections 302 & 120-B IPC added later on).

2. Learned counsel for the petitioner has submitted that the petitioner has not been named in the FIR. He has been nominated as an accused in this case only on the disclosure statement of co-accused Darshan Singh @ Kanwadia who was also named on a supplementary statement made by one of the injured persons. Said Darshan Singh @ Kanwadia has been granted regular bail by this Court. The petitioner has been in custody for more than two and a half years and the trial is not likely to be concluded at an early date as only 17 Pws have been examined out of a total of 75 Pws.

Thus, the petitioner may be granted regular bail.

CRM-M-33262-2022 (O&M)

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3. Custody certificate dated 24.05.2023 checked by Sh.N.D. Negi, Jail Superintendent, Central Jail, Bathinda has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 02 years, 06 months and 23 days and there are a large number of other criminal cases pending against him. One conviction under Section 52-A of the Prison Act, 1894 has also been recorded apart from two acquittals.
4. Learned State counsel concedes that only 17 Pws have been examined out of a total of 75 Pws.
5. From the above, it is clear that the trial is not likely to be concluded at an early date. The petitioner has been in custody for 02 years, 06 months and 23 days and co-accused Darshan Singh @ Kanwadia who was also named by virtue of a supplementary statement and was not attributed any specific role has been granted regular bail. The petitioner has been nominated as an accused only on the disclosure statement of said Darshan Singh @ Kanwadia, thus, he is entitled to grant of regular bail, despite him being involved in a large number of other criminal cases. Accordingly, the petition is allowed. He is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

May 26, 2023

Ankur

(SUDHIR MITTAL)  
JUDGE

Whether speaking/reasoned  
Whether Reportable

Yes  
No