

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-43257 of 2022 (O&M)

Date of decision: 18th May, 2023

Ranjodh Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Ruhani Chadha, Advocate for the petitioner.
Mr. I. S. Mann, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. This is a second petition seeking regular bail in FIR No. 184 dated 12.12.2019, under Sections 307, 379-B, 353, 186, 332, 333, 148 and 149 IPC, Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (for short, 'the Act') and Section 25 of the Arms Act, 1959, registered at Police Station Subhanpur, District Kapurthala.
2. The earlier petition was dismissed as withdrawn on 1.2.2022.
3. The brief facts are that the police on secret information raided the house of Harjinder Singh. It was alleged that Harjinder Singh alongwith his brother Mithu, Kulwinder Singh, Ranga, Manga, Khandi, Deepa, Pala, Ranjodh Singh @ Jodha (petitioner), Sewa Singh, Kanwaljit Kaur, Debo, Charan Kaur, Boota Singh, Satnam Singh, Sukhdev Singh, Tarsem Singh, Baldev Singh were there in the house. It was further alleged that 10 to 12 unknown persons also came at the spot and caused injuries to the police officials. The allegation is that Kulwinder Singh snatched the .9mm pistol from ASI Onkar Sharma. On search one kg intoxicant powder, Rs. 13,50,260/- and the snatched pistol were recovered. The petitioner was named by the co-accused and 120 grams of powder containing salt of Alprazolam was recovered.

4. Learned counsel for the petitioner submits that the petitioner is in custody for more than three years and there is no decent progress in the trial. He relies on the fact that the co-accused was granted bail by this Court. The contention is that recovery is marginally higher than the commercial quantity specified in the Schedule to the Act.

5. Learned counsel for the State opposes the prayer and submits that the petitioner is involved in one more case under the Act. On instructions, he fairly submits that none of the prosecution witness has been examined.

6. Learned counsel for the petitioner submits that in other FIR, the petitioner is on bail and he was nominated on the basis of disclosure statement.

7. The observations made hereinafter shall not be construed as an expression of opinion on the merits of the case.

8. Considering that the petitioner is in custody since 18.4.2020; there is no progress in the trial; there is no specific role attributed to the petitioner for causing injuries to the police party; he was nominated on the basis of disclosure statement of the co-accused; the co-accused was granted bail by this court and moreover in *SLP (Crl). No. 6690 of 2022-Dheeraj Kumar Shukla v. State of Uttar Pradesh*, decided on 25.1.2023 and in *SLP (Crl) No. 1166 of 20223-Chet Ram @ Ram Veer v. Union of Inida*, decided on 15.3.2023 considering the custody period and that trial is not progressing, granted bail, the petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial court/Duty Magistrate concerned.

9. The petition is allowed.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[AVNEESH JHINGAN]
JUDGE

18th May, 2023

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