

213 **IN THE HIGH COURT OF PUNJAB & HARYANA**
AT CHANDIGARH

CRM-M-44004-2023

Date of Decision: 13.09.2023

Baldev Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr. Mohd. Salim, Advocate
 for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S. SHEKHAWAT, J. (ORAL)

1. The petitioner has filed the instant petition under Section 439 of Cr.P.C. with a prayer to grant regular bail to him in case FIR No.171 dated 13.10.2022 registered under Sections 115/120-B of IPC at Police Station Kartarpur, District Jalandhar Rural (Annexure P-1).

2. As per story of the prosecution, on 13.10.2022, ASI Balvir Singh along with other police officials was present in connection with checking of bad elements and received a secret information that two persons, namely, Gurdish Singh alias Laddi son of Baldev Singh and Surjit Singh alias Seeta son of Bant Singh were sitting in the Swift Dzire car, whose front number plate was covered with mud and the rear number plate has been removed. Further, Baldev Singh-petitioner and Daljit Kaur alias Chhindo in connivance with Gurdish Singh and his friend Surjit Singh had planned to commit murder of Gurmeet Kaur. Therefore, Baldev Singh and Daljit Kaur alias Chhindo had called Gurdish Singh and his friend Surjit Singh to commit the murder of Gurmeet Kaur. It was

further informed that Gurdish Singh and Surjit Singh alias Seeta were having *kirpan* and other deadly weapons in the above mentioned Dzire car and at this moment, they were sitting in the said car near cremation ground. With these broad averments, the FIR in the present case was registered under Section 115 of IPC.

3. Learned counsel for the petitioner submits that similarly placed co-accused, namely, Daljit Kaur @ Chhindo, Surjit Singh @ Seeta and Gurdish Singh alias Laddi have already been granted the concession of bail by this Court, vide orders Annexures P-2 to P-4. Learned counsel further contends that the petitioner was arrested in the present case on 22.08.2023 and is in custody since then. He further contends that in the present case, the prosecution has relied upon 14 witnesses, but no witness has been examined so far. Thus, the trial Court may take a long time to conclude the trial.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and a sword, a car and one axe have been recovered from the present petitioner. However, he further contends that the petitioner was declared to be a proclaimed person.

5. I have heard learned counsel for the parties and perused the record.

6. It is not in dispute that similarly placed co-accused, namely, Daljit Kaur @ Chhindo, Surjit Singh @ Seeta and Gurdish Singh alias Laddi have already been granted the concession of bail by this Court vide orders Annexures P-2 to P-4. Even the recovery has already been effected from the petitioner and his further detention would not serve any meaningful purpose.

7. Without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

13.09.2023
hemlata

(N.S. SHEKHAWAT)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No