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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-47524-2022

DECIDED ON: 15th FEBRUARY, 2023

JATINDER PAL SINGH SHERGILL

PETITIONER

VERSUS

STATE OF PUNJAB

RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Suvir Sidhu, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

Instant petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No. 85, dated 22.05.2020, under Sections 302, 148, 149, 506 and 201 IPC and Section 27 of Arms Act, registered at Police Station Anaj Mandi, District Patiala

Learned counsel for the petitioner contends that no injury whatsoever has been attributed to him only. He further contends that the gun used in the commissioning of offence belonging to the petitioner was used by another co-accused namely Sajjan. It is asserted that the petitioner is in custody since 26.01.2022 and he is not required for any custodial interrogation as challan stands presented and charges have also been framed.

the State is taken on record. According to which the petitioner is behind bars for the last 1 year and 12 days. Learned State counsel opposes the prayer made in the present petition on the ground that petitioner is a habitual offender and is involved in as many as six cases, out of which in one case he is on bail.

I have heard learned counsel for the parties.

Considering the afore-said facts, especially the fact that petitioner has not been attributed any injury whatsoever, which is admitted by the prosecution as well, apart from this challan stands presented on 22.04.2022; charges have been framed; conclusion of trial is likely to take a long time; this Court is of the considered view that no fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

The petition stands allowed.

SANDEEP MOUDGIL
JUDGE

15th FEBRUARY, 2023
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|---------------------------------|----------|
| 1. Whether speaking/ reasoned : | Yes / No |
| 2. Whether reportable : | Yes / No |