

JURI@ HAZURI AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Rahul Sharma, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

KARAMJIT SINGH, J. (Oral)**CRM-3475-2023**

This application has been filed for placing on record Annexure
P-3 i.e. affidavit of Municipal Councillor, Jeeta.

For the reasons mentioned in the application, the same is
allowed subject to all just exceptions.

CRM-3474-2023

This application has been filed by the applicant-petitioner for
preponing the date of hearing in main case which is fixed for 12.04.2023.

For the reasons mentioned in the application, the same is
allowed and the main case is preponed from 12.04.2023 to today and the
matter has been taken up on board today, itself.

CRM-M-48769-2022

The present petition has been filed for grant of regular bail to
the petitioners in case FIR No.46 dated 28.08.2022 registered under Sections
399/402 IPC and Sections 25/54/59 Arms Act, at Police Station, Sadar
Morinda, Roopnagar.

Learned counsel for the petitioner submits that as per the allegations made in the FIR, the petitioners were arrested and one Takkua (sharp edged weapon) each, is recovered from the petitioner No.1 Juri @ Hajuri, petitioner No.2 Keri @ Satish and petitioner No.3-Sheikhar while one iron rod each was recovered from possession of petitioner No.4-Badal and petitioner No.5 Sunny. He further submitted that after completion of investigation, police has presented the challan and the petitioners are presently lodged in judicial custody. Therefore, the petitioners should be released on regular bail.

The present petition is opposed by the State counsel who on instructions submits that at the time of their arrest, the petitioners were planning to commit the dacoity and they were apprehended with deadly weapons. However, the State counsel has not disputed the fact that after the completion of investigation, the police has presented the challan and now the case is fixed for framing of charges. He further submits that all the petitioners are having criminal history and are involved in a number of other cases.

I have considered the submissions made by the counsel for the parties.

The recoveries in the present case stand effected and after completion of investigation, the police has presented the challan but it will take considerable time for the trial to conclude, even after the framing of charges.

Therefore, keeping in view the facts and circumstances mentioned above, no fruitful purpose is going to be served even if the petitioners are kept in judicial custody for an indefinite period. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioners are ordered to be released on bail, subject to their furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned, during the pendency of the trial, subject to the following conditions:-

1. That the petitioners will not directly or indirectly induce, threat or promise to any prosecution witness.
2. Petitioners shall not leave the country without prior permission of the trial Court.
3. Petitioners shall appear in the trial Court on each and every date of hearing.

30.01.2023
neelam

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No