

2023:PHHC:133074

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM M-50812 of 2023
Date of Decision: 12.10.2023

Husanpreet Singh

...Petitioner

Vs.

State of Punjab

...Respondent

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

Present : Mr. Tajinder Pal Singh Makkar, Advocate,
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.58 dated 08.06.2023 registered under Section 379(b)(2) of IPC and Sections 25 and 27 of Arms Act (offence under Sections 452 and 506 IPC were added later on vide DDR No. 46 dated 11.06.2023) at Police Station Kotbhai, District Sri Muktsar Sahib.

2. Learned counsel for the petitioner contends that the petitioner was not named in the present FIR and has been nominated as an accused on the basis of the supplementary statement made by the husband of the complainant. Learned counsel has further relied upon the order dated 15.09.2023 passed by this Court in CRM M-45227-2023 titled as “Adesh Kumar @ Rinku Vs. State of

Punjab”, whereby, the co-accused Adesh Kumar @ Rinku has been granted the concession of bail. Learned counsel further contends that a civil litigation has already been pending between the parties. He was taken in custody on 21.06.2023 and he is in custody since then. Further custody will not serve any meaningful purpose.

4. On the other hand, learned State counsel has opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious and specific allegations against the petitioner and he does not deserve the concession of regular bail.

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

6. From the record, it is apparent that similarly placed co-accused Adesh Kumar @ Rinku has already been granted the concession bail by this Court vide order dated 15.09.2023 (Annexure P-2). Further, the petitioner was arrested in the present case on 21.06.2023 and the trial may take quite a long time.

7. In view of the above, 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

12.10.2023

(N.S.SHEKHAWAT)

amit rana

JUDGE

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