

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M- 60816-2022

Date of Decision: May 29, 2023

SARTHAK @ SAGAR

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rishu Mahajan, Advocate for the petitioner.
Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No.275 dated 13.10.2022 registered under Sections 399 and 402 IPC and Section 25 of Arms Act, 1959 at P.S. Cantonment, District Amritsar.
2. As per the allegations in the FIR, the petitioner along with his four other accomplices have formed a gang for conducting dacoities and on the date of registration of FIR an information was received regarding their meeting in abandoned quarters of railway blocks regarding preparation of committing dacoity.
3. Learned counsel for the petitioner submits that petitioner has already suffered incarceration for a period of more than 7 months and investigation has already been concluded in the present case and prays for grant of regular bail.
4. On the other hand, prayer made herein has been vehemently opposed by learned State counsel while submitting that two more FIRs have been registered against the petitioner bearing No.262

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dated 31.10.2021 under Sections 307, 148 and 149 IPC and FIR No.176 dated 19.06.2021 under Sections 336 and 34 of IPC.

5. I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made by learned counsel for the petitioner.

6. The petitioner is a young boy of 20 years of age and has already suffered incarceration for a period of more than 7 months and investigation in the present case already stands concluded besides even as per allegations levelled in the FIR, the petitioner along with his other accomplices were found in abandoned quarters and their intent about planning to conduct a dacoity is yet to be established during trial. As regards the registration of the FIRs against the petitioner, in both the cases, he is already on bail and is facing trial. Thus considering the allegations against the petitioner in the present FIR, I do not deem it appropriate to extend his incarceration.

7. In view of the discussions made herein-above, without commenting upon merits of the present petition, the same is allowed. Petitioner is ordered to be released on bail subject to his furnishing of adequate bail bonds/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

29.05.2023
tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No

