

**2023:PHHC:077611IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-60791-2022

Date of Decision: May 29, 2023

DINESH KUMAR @ TEJI @ DINESH TEJI

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. B.S. Bhalla, 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 Sections 25 and 27 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 four more FIRs have been registered against the petitioner bearing No.369/2016, FIR No.244/2016, FIR No.250/2019 and FIR No.113/2020.

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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. In the present case, the petitioner has already suffered incarceration for a period of more than 7 months and investigation 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 four other FIRs against the petitioner, as per learned counsel for the petitioners in FIR Nos. 369/2016 and 244/2016, he already stands acquitted on 03.07.2018 & 09.10.2019 respectively, in FIR No.250/2019, he was released on bail and complainant has turned hostile whereas in the fourth FIR bearing No.113/2020, the petitioner is already on bail as no injury has been attributed to him. Thus considering the allegations against the petitioner in the present FIR, I do not deem it appropriate to extend his incarceration, any further.

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

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>

