

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60727-2023
Date of Decision:-08.12.2023

SEHAJPREET SINGH @ SEHAJ

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

-. -

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

-. -

Present:- Mr. Gaurav Kalsi, Advocate for
Mr. Harchand Singh Batth, Advocate
for the petitioner.

Mr. G.S. Sidhu, AAG, Punjab.

-. -

JASGURPREET SINGH PURI, J. (Oral)

1. Present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.87 dated 05.06.2023, under Sections 379, 397, 398, 401, 411 and 473 of the IPC, registered at Police Station Passiana, District Patiala, Punjab.
2. Learned counsel for the petitioner has submitted that the petitioner is in custody since last 06 months and 01 day and present is a case where the challan has already been presented after completion of the investigation. The learned counsel for the petitioner submitted that the

allegations against the petitioner and the co-accused were pertaining to planning of committing robbery looting and stealing with deadly weapons but there is no overt act even alleged by the police in this regard. He also submitted that as per allegations, the petitioner and the other co-accused committed robbery with some deadly weapons but consequently on the basis of the aforesaid information, they were arrested but no overt act has been done by the accused persons. He also submitted that the petitioner is not involved in any other case and referred to Annexure P2, where two of the other co-accused have been granted bail by this Court on 8.11.2023 and further submitted that the petitioner is at parity with the other co-accused, who has already been granted bail on similar grounds by this Court.

3. Mr. G.S.Sidhu, AAG, Punjab on the other hand submits that the petitioner is in custody for the last 6 months and 1 day, he has not disputed parity of the petitioner with the other co-accused, who has already been granted bail. The antecedents of the petitioner is also not disputed by the Learned State Counsel.
4. I have heard the Learned Counsel for the parties.
5. The petitioner is stated to be in custody for the last 6 months and 1 day and he is stated to be having clean antecedents. The petitioner was arrested on the allegations of planning to commit dacoity but no overt act has been done by the accused. It is also not disputed that the petitioner is at parity with the other other co-accused, who have already been granted concession of regular bail by this Court. Furthermore, it is not the case of the learned State counsel that in case

the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

6. Therefore, considering the aforesaid totality and circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner. Consequently, the petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.
7. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

08.12.2023
Gaurav Sorot

(JASGURPREET SINGH PURI)
JUDGE

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