

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.1856 of 2024 (O&M)

Date of Decision: 24.04.2024

Pargat Singh @ Mandeep @ Deep

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Rajiv Kumar Saini, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (*for short 'Cr.P.C.'*) seeking bail pending trial to the petitioner in FIR No.25 dated 11.02.2020, under Sections 302, 307, 379, 411, 212, 216, read with Section 34, 148 read with Sections 149, 120-B of the Indian Penal Code, 1860, (*for short 'IPC'*); Sections 25-1-A & 27 of the Arms Act, 1959, registered at Police Station Dhariwal, District Gurdaspur.

(2) Above FIR was registered on the basis of complaint made by Jagdish Raj with the allegations that co-accused of petitioner fired at his son- Ashok Kumar and one Hitesh Mahajan @ Honey, due to which, Ashok Kumar died. During investigation, co-accused disclosed that they had committed the crime at the instance of Pargat Singh (petitioner) and Sukhmeet Pal Singh.

- (3) Learned Counsel for the petitioner contends that petitioner is in custody for four years (approx.) and out of total 41 prosecution witnesses, only 09 have been examined; thus, trial will take sufficient long time.
- (4) *Per contra*, learned State Counsel produced the Custody Certificate of the petitioner and submitted that petitioner is facing four other murder cases; thus, he does not deserve the concession of bail.
- (5) Heard learned Counsel for the parties and perused the paper-book.
- (6) It transpires from the Custody Certificate that he is involved in various criminal cases, including four under Section 302, IPC.
- (7) In view of the above, this Court is not inclined to grant him bail pending trial “at this stage”.
- (8) Consequently, there is no option except to dismiss the petition.
- (9) Ordered accordingly.
- (10) However, keeping in view the long custody, learned trial Court is requested to proceed in the matter, expeditiously, if there is no legal impediment.
- (11) Needless to say that the observations made above shall not be construed as an expression of opinion on merits of the controversy in any manner.
- (12) Pending application(s), if any, shall also stand disposed off.

24th April, 2024
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(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>