



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-14639-2024

Date of Decision: 20.05.2024

SUDEEP PEHAL

.....Petitioner

Vs.

STATE OF UT , CHANDIGARH

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Pardeep Singh Poonia, Advocate and
Mr. Pulkit Dhanda, Advocate for the petitioner.

Mr. Manish Bansal, PP, UT, Chandigarh with
Mr. Shubham Mangla, Advocate

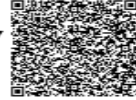
DEEPAK GUPTA, J. (ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No.20 dated 06.03.2019 under Sections 147, 148, 149, 452, 302, 307 and 120-B of IPC and Sections 25 & 27 (Act N: 54 of 1959) of the Arms Act, 1959, registered at Police Station Sector-49, Chandigarh.

2. On 02.04.2024, the following order was passed by this Court:-

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.20 dated 06.03.2019 registered under Sections 147, 148, 149, 452, 302, 307, 120-B of the IPC and Section 25/27/54/59 of Arms Act registered at Police Station Sector-49, Chandigarh.

Learned counsel for the petitioner has drawn attention towards the order dated 24.08.2023 passed in CRR-1814-2023 to contend that pronouncement of final judgment has been stayed by this Court. It is further contended that three co-accused Naveen



Sehrawat, Ramdeep & Rahul Manda have already been allowed bail vide a common order dated 14.03.2024 passed by a co-ordinate Bench of which Court, copy of which is Annexure P-8 and case of petitioner is on parity with co-accused Naveen Sehrawat. Learned counsel also contends that petitioner is in custody for the last more than 05 years.

Notice of motion.

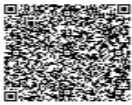
Mr. Manish Bansal, P.P., U.T. Chandigarh accepts notice on behalf of respondent.

Adjourned to 20.05.2024 for filing status report by clearly specifying the role of the petitioner and also to clarify as to whether case of the petitioner is on parity with any of the co-accused, who have already been allowed bail.

3. In compliance of the aforesaid order, respondent has already filed its reply received through registry, para No.5 of which is relevant, pertaining to role of the petitioner. Said para No.5 reads as under:-

“That during the course of investigation, upon secret information, present petitioner and co-accused Naveen Sherawat were arrested on 12.03.2019 near Hallomajra Chowk, Chandigarh, who had committed a heinous crime in connivance with other co-accused by attacking the complainant and his friends with dangerous weapons and weapons i.e. 'desi katta' was recovered from Sudeep Pehal (present petitioner) and one 'country made pistol' was recovered from co-accused Naveen Sherawat which were used in alleged crime and recovered weapons were sent for CFSL report.”

4. It is thus clear from the aforesaid fact that case of the petitioner is on parity with Naveen Sehrawat, who has already been allowed bail.



Petitioner is in custody for the last 05 years 02 months and 07 days as per the custody certificate, placed on record by the respondent-State.

5. Considering the afore-said facts and circumstances, but without commenting anything further on merits of the case, and also on the basis of parity, petition is allowed. Petitioner is admitted to regular bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

20.05.2024
pry

(DEEPAK GUPTA)
JUDGE

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