



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

**CRM-M-21294-2024
DECIDED ON:06.05.2024**

ARMANDEEP SINGH @ MANNU

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ashdeep Singh, Advocate, for the petitioner.

 Mr. Jasjit Singh Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for grant of regular bail to the petitioner in FIR No.20, dated 21.10.2023, under Sections 25, 25(7) of Arms Act, 1959 and 120-B IPC registered at Police Station State Special Operations Cell, SAS Nagar, Police District Intelligence Wing (CID), District SAS Nagar.

2. Learned counsel for the petitioner submits that no recovery has been effected from the present petitioner and his case is on the same footing as the other co-accused namely Supreet Singh @ Preet, who has been granted the concession of regular bail by this Court vide order dated 16.04.2024 (Annexure P-3) passed in CRM-M-17523-2024.

3. Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. According to which the petitioner is behind the bars for the last 6 months and 14 days.

4. Having heard learned counsel for the parties.

5. Considering the fact that no recovery has been effected from the present petitioner and on account of parity, this Court is of the considered view that no fruitful purpose would be served by detaining the petitioner behind bars for an indefinite period, who is a person of clean antecedents, which would also violate his right to life and liberty including the right to speedy trial and expeditious disposal under Article 21 of Constitution of India and also against the basic principle of criminal jurisprudence i.e “Bail is a rule, jail is an exception” as elucidated in the judgement of Apex Court in “*Dataram Singh vs. State of Uttar Pradesh and another*;; (2018) 3 SCC 22”.

6. In view of the discussions made hereinabove, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

7. The present petition is, hereby, allowed.

8. However, anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

(SANDEEP MOUDGIL)
JUDGE

06.05.2024

Sham

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