

S. No.221

2024:PHHC:065056

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

CRM-M-21976 of 2024 (O&M)

Date of Decision:09.05.2024

Sukhdeep Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

**Present:- Mr. Chandan Singh Rana, Advocate
for the petitioner.**

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.74 dated 08.04.2022 registered under Sections 379-B IPC and Section 201, 34 IPC added later on (under Sections 379-B(2)/201/34 IPC, charged framed later on) at Police Station Sidhwan Bet, District Ludhiana.

2. At the outset, learned counsel for the petitioner contends that similarly placed co-accused, namely, Mandeep Singh has already been allowed bail by a co-ordinate Bench of this Court vide order dated 16.02.2024 passed in CRM-M-55308 of 2023, copy of which is Annexure P.2.

3. Learned counsel points out that the custody period of said Mandeep Singh was 01 year and 10 months; whereas petitioner of this case is in custody for the last 02 years and 09 days and trial is not proceeding further. Learned counsel further contends that not even a single witness has been examined.

4. Notice of motion.

5. Mr. Sahil R. Bakshi, AAG, Punjab, accepts notice on behalf of the respondent- State. Custody certificate has been placed on record.
6. Learned State Counsel could not refute any of the afore-said contentions. It is conceded that case of the petitioner is on same footing as that of co-accused Mandeep Singh, who was allowed bail by a co-ordinate Bench of this Court vide order dated 16.02.2024 (Annexure P.2).
7. On instructions from ASI Raj Kumar, it is conceded by learned State Counsel that out of 09 witnesses cited by the prosecution, not even a single witness has been examined so far. Thus, trial is likely to take long time to conclude.
8. As per the custody certificate, custody period of the petitioner is 02 years and 09 days.
9. Having regard to all the afore-said facts and circumstances of the case, particularly on basis of parity, but without commenting anything further on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate, on usual terms and conditions.

May 09, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No