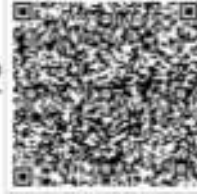


2024:PHHC:075532



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

222

**CRM-M- 25683-2024(O&M)
Date of Decision:27.05.2024**

BIKKAR SINGH

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

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

Mr. J.S. Rattu, DAG, Punjab

SANDEEP MOUDGIL, J.(ORAL)

1. This petition u/s 439 Cr.P.C. has been filed for grant of regular bail to the petitioner in FIR No.33, dated 29.03.2016, u/ss 307, 353, 186, 224, 332, 148, 149, 212, 216 and 120-B IPC read with Section 25 of the Arms Act, P.S. Kotwali, Nabha, District Patiala.
2. Learned counsel for the petitioner submits that on the ground of parity, the petitioner is entitled for regular bail as his co-accused namely Gurpreet Singh @ Chacha, was granted regular bail by this Court on 26.03.2021 by Co-ordinate Bench of this Court in CRM-M-17767-2019 (Annexure P-6). He further submits that the petitioner is in custody since 14.12.2026 and conclusion of the trial will long time.
3. Notice of motion.
4. On the asking of the Court, Mr. J.S. Rattu, DAG, accepts notice on behalf of the respondent-State and filed Custody certificate in Court today, which is taken on record, which indicates that the petitioner has undergone actual sentence 06 years 03 months and 15 days.

5. In view of the above, it is clear that conclusion of the trial will take long time and the fact that the petitioner is in custody since 14.12.2026, no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period which would violate the principle of right to speedy trial and expeditious disposal under Article 21 of the Constitution of India, as has been time and again discussed by the Court while relying upon the judgment of the Apex Court passed in *Dattaram Singh vs. State of Uttar Pradesh & Anr., 2018 (2) R.C.R. (Criminal) 131*.

6. In the light of the aforesaid facts and circumstances, the petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

7. The present petition is, hereby, allowed.

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

(SANDEEP MOUDGIL)
JUDGE

27.05.2024
dinesh

1. Whether speaking/reasoned?	Yes/No
2. Whether reportable?	Yes/No