

CRM-M-28061-2023(O&M)
Date of Decision:23.01.2024

Sandeep Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Adarsh Priyadarshi, Advocate with
Ms. Poonam Singh Thakur, Advocate
for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab.

KARAMJIT SINGH, J.
CRM-703-2024

The present application is allowed and documents Annexure
A-1 to A-5 are taken on record subject to all just exceptions.

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1. This is the second bail application under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.119 dated 01.09.2015 registered for the offences punishable under Sections 399, 402, 119, 473 of IPC and under Sections 25, 54, 59 of Arms Act at Police Station Sadar Kharar, District SAS Nagar Mohali.
2. The brief facts of the prosecution story are that the present case was registered against accused persons including the petitioner under Sections 399, 402, 119, 473 of IPC and Section 25 of Arms Act on the ground that the accused persons were making preparations to commit

armed with different firearms and they were having two vehicles bearing fake number plates. Thereafter the petitioner was arrested in the present case on 29.12.2015.

3. The counsel for the petitioner submits that the petitioner is in custody for the last more than 8 years and that it will take time for the trial to conclude and no incriminating article was recovered from possession of the petitioner. So, prayer is made that the petitioner be released on regular bail.

4. The present petition is resisted by the State counsel who submits that the trial is going on and prosecution has examined nine witnesses out of total 24 witnesses. However, the State counsel has not disputed the fact that petitioner is in custody in the present case since 29.12.2015 but is involved in number of criminal cases.

5. I have considered the submissions made by the counsel for the parties.

6. Admittedly, the petitioner was arrested in the present case on 29.12.2015 and trial is going on and it will take considerable time for the trial to conclude. The recoveries in this case are already effected and similarly situated co-accused-Gurjant Singh @ Bholu was enlarged on bail by this Court vide order dated 01.11.2019(Annexure P-11) and the said accused was also involved in several other criminal cases.

7. Admittedly, it will take time for conclusion of trial. Thus, no useful purpose is going to be served by detaining the custody of the petitioner for any longer period.

8. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to

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the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate
concerned.

(KARAMJIT SINGH)
JUDGE

23.01.2024
Priyanka Thakur

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No