

CRM-M-31817-2024
CRM-M-32622-2024
CRM-M-42148-2024



224+225

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M-31817-2024

Nishan SinghPetitioner

versus

State of Punjab Respondent

2. CRM-M-32622-2024

Darshan Kumar @ Darshan SahPetitioner

versus

State of Punjab Respondent

3. CRM-M-42148-2024

Sunny Masih @ LongaPetitioner

versus

State of Punjab Respondent

Date of decision : 10.12.2024

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Ranjeet K. Jaswal, Advocate
for the petitioner in CRM-M-31817-2024.

Mr. Darshan Kumar, Advocate,
Mr. S.S. Sarwara, Advocate & Mr. Navpreet Singh, Advocate
for the petitioner in CRM-M-32622-2024.

Mr. Anosh Samson, Advocate
for the petitioner in CRM-M-42148-2024

Mr. J.S. Arora, D.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, I intend to dispose of abovesaid
three petitions as they have arisen out of the same FIR.



2. Petitioners have approached this Court by way of present petitions praying for granting them regular bail in case FIR No.56 dated 04.04.2024, under Sections 399, 402, 473 of IPC and Sections 25, 25(6), 25(7) of Arms Act (Section 411 IPC added later on) registered at Police Station City Rajpura, District Patiala.

3. As per case of the prosecution, the secret information was received on 04.04.2024, wherein it was informed that the petitioner along with the co-accused planning to commit dacoity and they were armed with weapons and in case of the raid they could be apprehended along with the weapons. On receiving the same, FIR was registered and the raid was conducted. The petitioners were arrested on spot along with co-accused. They approached the Court of Ld. Additional Sessions Judge, Patiala for grant of bail, however, after hearing both the sides, their applications were declined by the Learned Additional Sessions Judge, Patiala vide orders dated 13.06.2024, 07.05.2024 and 13.06.2024, respectively. Aggrieved by the same, the petitioners are before this Court by way of filing the present petitions.

4. It has been contended by learned counsel for the petitioners that the petitioners are falsely implicated in this case. It is submitted that the alleged secret information had no basis and the case was planted by the police upon the petitioners. It is submitted that on the very same day, the petitioners were implicated in one more case i.e. FIR No.20 dated 04.04.2024. All the petitioners were released on bail by the trial Court. It is submitted by learned counsel that petitioner-Sunny Masih @ Longa has been falsely implicated in two more cases, however, he is on bail in those cases. It is further submitted that investigation is already complete and the



challan has been presented on 01.07.2024. Hence, they submit that the trial of the case is likely to take sufficient time for its conclusion and as such in the facts and circumstances of the present case, petitioners deserve to be granted regular bail.

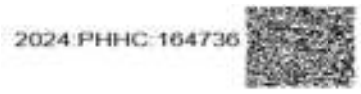
5. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioners. He has stated that the petitioners are the habitual offenders as they are involved in other cases as well. He submits that in the present case, only investigation is complete however, challan is yet to be presented. He submits that the petitioners though involved in other cases, however, they are on bail in those cases.

6. Heard. On hearing counsel for the parties and perusing the record, it is apparent that on 04.04.2024, the petitioners were arrested in the present FIR and in FIR No.20 dated 04.04.2024, however, as submitted before this Court, the petitioners are on bail in that case. The petitioner-Sunny @ Longa, though involved in two other cases, however, he is also on bail in those cases. In the present case, investigation is already complete and challan is presented.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail. Accordingly, the petitions are allowed. Petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of

the concerned Trial Court/Duty Magistrate. Nothing said herein shall be

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treated as an expression of opinion on the merits of the case.

8. Photocopy of this order be placed on the file of other connected cases.

(RAJESH BHARDWAJ)
JUDGE

10.12.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No