

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 33555 of 2023 (O&M)
Date of Decision: 02.04.2024

Sumit Singh @ Nihal Singh @ Rohit

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Bhupinder Ghai, Advocate
for the petitioner.

Mr. Kewal Singh, Additional Advocate General, Punjab

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No.17 dated 28.01.2023, under Section 379 of the Indian Penal Code, 1860 (Sections 411, 473 & 201 of IPC added later on), registered at Police Station Division-8, Ludhiana, wherein he has been implicated on the basis of disclosure statement made by the co-accused-Rahul Bisht, which was recorded on 21.03.2023 in pursuant to his arrest in FIR No. 33 dated 22.02.2023, under Sections 379, 473, 411, 414, 420, 463, 464, 465 & 471 of IPC, registered at Police Station Model Town, Ludhiana.

[2] Learned State Counsel vehemently opposes the prayer for grant of regular bail to the petitioner, while referring to the antecedents of the petitioner of having been involved in total eight cases of similar nature.

[3] I have heard learned counsel for the parties and gone through the paper-book.

[4] A perusal of the records shows that the petitioner was implicated on the basis of disclosure statement of co-accused-Rahul Bisht, who was in custody at that point of time in relation to FIR No. 33 dated 22.02.2023 (supra). Though, the petitioner is involved in total eight cases of similar nature, including the present one, he is already on bail in seven other cases. The investigation already stands concluded with the filing of challan followed by framing of charges; the petitioner is already behind the bars since 22.03.2023, i.e. for the last more than one year and the conclusion of trial may take some time as none of the prosecution witnesses has been examined so far. Considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioner.

[5] In view of the above, but without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is **allowed** and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the Trial Court / Illaqa Magistrate / Duty Magistrate concerned.

[6] It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

April 02, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

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