

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-35048-2023

Date of Decision: 26.2.2024

Malkit Singh @ Billa

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ajay Pal Singh Rehan, Advocate
for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.18 dated 30.3.2023 registered for the offences punishable under Sections 25 of Arms Act at Police Station Singh Bhagwantpur, District Rupnagar.

2. The allegations in nutshell are that the police arrested the petitioner on 30.3.2023 and recovered 3 country made pistols and 17 live cartridges from him. Thereafter, the petitioner got effected recovery of 2 more country made pistols on 31.3.2023 on the basis of his disclosure statement.

3. Counsel for the petitioner submits that the petitioner is falsely implicated in the present case and is in custody for the last more than 10 months and that the trial is not progressing ahead. So, prayer is made that the petitioner be released on regular bail.

4. Present petition is resisted by the State counsel who submits that the petitioner is having criminal history and is facing serious charges in the present case.
5. I have considered the submissions made by the counsel for the parties.
6. Recoveries in the present case are effected and the petitioner is behind the bars for the last about 11 months. As has been stated by the counsel for the petitioner, the petitioner is already enlarged on bail in 3 other criminal cases faced by him. Presently, the petitioner is lodged in judicial custody and it will take considerable time for the trial to conclude as till date, prosecution is able to examine only one witness that too partly out of total 9 witnesses. In the given circumstances, no purpose is going to be served by keeping the petitioner in custody for any further period.
7. 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 the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(**KARAMJIT SINGH**)
JUDGE

February 26, 2024

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No