



CRM-M-35222-2023 (O&M)

-1-

(106+214)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35222-2023 (O&M)
Date of Decision: 23.05.2024

SHUBHAM SINGH

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. S.S. Jattan, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, Asstt. A.G., Haryana.

JASJIT SINGH BEDI, J.

CRM-22803-2024

The present application has been filed by the applicant-petitioner
for placing on record Annexures A-1 & A-2.

For the reasons mentioned in the application, the same is
allowed and Annexures A-1 & A-2 are taken on record.

CRM-M-35222-2023

The prayer in the present petition under Section 439 Cr.P.C. is
for the grant of regular bail in case bearing FIR No.291 dated 19.08.2022
registered under Sections 285, 307, 34, 120-B IPC, 1860 and Section 25 of
Arms Act, 1959 at Police Station Mullana, District Ambala.

2. The learned counsel for the petitioner contends that four of the
co-accused namely, Akash Narinder Singh @ Pintu, Shamsher Singh @
Monu Rana and Yuvraj Singh filed a quashing petition based on a

**CRM-M-35222-2023 (O&M)****-2-**

compromise bearing CRM-M-15466-2023 and this Court quashed the proceedings vide order dated 30.05.2023 (Annexure P-1). Thereafter, the complainant appeared as PW1 before the Trial Court and has not supported the prosecution case. As the petitioner was in custody since 17.04.2023 but only 02 of the 13 prosecution witnesses had been examined so far, the Trial of the present case was not likely to be concluded anytime soon and therefore, he was entitled to the concession of bail.

3. On the other hand, the learned State counsel contends that the petitioner was a habitual offender with multiple cases pending against him. Therefore, he was not entitled to the concession of bail as prayed for. He, however, concedes that proceedings qua the co-accused stood quashed on the basis of a compromise, that the complainant had not supported the prosecution case qua the petitioner and the other accused as also the fact that the petitioner was in custody since 17.04.2023 but only 02 of the 13 prosecution witnesses had been examined so far.

4. I have heard the learned counsel for the parties.

5. Admittedly, proceedings qua the co-accused stands quashed on the basis of compromise. The complainant has not supported the prosecution case while appearing as PW1. The petitioner is stated to be in custody since 17.04.2023 but only 02 of the 13 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

**CRM-M-35222-2023 (O&M)**

-3-

6. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Shubham Singh son of Tarsem Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

7. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

23.05.2024

JITESH

Whether speaking/reasoned:- Yes/No**Whether reportable:- Yes/No**