

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-35812-2024
Date of decision: 02.08.2024

GOBIND SINGHPetitioner

Versus

STATE OF PUNJAB ...Respondent

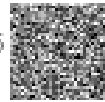
CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Ketan Chopra, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, the petitioner craves for indulgence of this Court for his being enlarged on regular bail, in case FIR No.88 dated 05.04.2024, under Sections 399 and 402 IPC, and under Section 25 of the Arms Act, 1959, registered at Police Station Sahnewal, District Ludhiana.
2. The prosecution agency was set into motion on a secret information made by a police informer, to the extent that the petitioner along with the other co-accused have gathered in Haryana Ground, Gyaspura, Ludhiana, and planning to commit robbery, and they are also possessing some illegal weapons, deadly weapons kirpan/iron Daah etc. They are also in possession of a car, and a motorcycle. On the basis of the said secret information, the instant FIR has been registered.
3. Learned counsel for the petitioner submits that the present petitioner is on equal footing as that of his co-accused, Himmat Singh, and Manoj Kumar,



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who have already been granted the relief of regular by this Court in CRM-M-28187-2024 & CRM-M-32742-2024, vide orders dated 11.06.2024, and 17.07.2024, respectively. Learned counsel for the petitioner submits that petitioner has suffered incarceration of more than 03 months, as on today. Learned counsel for the petitioner submits that though the petitioner is stated to be involved in 04 other criminal cases, but out of those 04 cases, (i) in one case he has earned acquittal, (ii) in one case he has been convicted and granted bail, (iii) in other two cases he is on bail. Learned counsel for the petitioner also submits that the final report under Section 173 Cr.P.C., had already been filed, and the charges are yet to be framed, and out of the total 11 prosecution witnesses cited in the final report, none has been examined till date.

4. Per contra, the learned State counsel, who is in receipt of advance notice, has placed on record the custody certificate of the petitioner, as issued by the Superintendent of Central Jail Ludhiana. The same is taken on record. A perusal of the custody certificate reveals that the petitioner has suffered incarceration of 03 months and 24 days, as on today. A perusal of the custody certificate further reveals that the petitioner is involved in 04 other criminal cases. Learned State counsel on instructions, imparted to him from the official respondent, submits that after conclusion of the investigation, the final report under Section 173 Cr.P.C., had already been filed, and the charges are yet to be framed. Learned State counsel further submits that out of the total 11 prosecution witnesses cited in the final report, none has been examined till date.

5, This Court has heard the learned counsel for the parties concerned, and perused the record.

6. Considering the fact that the petitioner has suffered incarceration of 03 months and 24 days, as on today, and co-accused of the petitioner, namely Himmat Singh, and Manoj Kumar, have already been granted the relief of regular by this Court in CRM-M-28187-2024 & CRM-M-32742-2024, vide orders dated 11.06.2024, and 17.07.2024, respectively, this Court deems it appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

7. However, anything observed here-in-above shall have no effect on the merits of the trial, and is only meant for deciding the present petition.

02.08.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No