

S. No.226

2024:PHHC:008615

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-45233 of 2023

Date of Decision:23.01.2024

Sandeep Singh @ Sandeep

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Amit Khari, Advocate for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

This is the third petition filed under Section 439 Cr.P.C by the petitioner seeking his release on regular bail in case FIR no.252 dated 25.09.2015 registered under Sections 384 IPC (Section 364-A, 365, 420, 511, 149, 120-B IPC and Section 25 (Act No.54 of 1959) of Arms Act added later on) at Police Station Patran, District Patiala.

Status report by way of affidavit of Shir Daljit Singh Virk, PPS, Deputy Superintendent of Police, Sub Division Patran, District Patiala has been placed on record along with the custody certificate. Copy supplied.

The first petition bearing CRM-M-30470 of 2019 (O&M) was dismissed as withdrawn on 31.03.2022 as by that time, victim and the complainant were yet to be examined. The second petition bearing CRM-M-5261 of 2023 was dismissed as withdrawn vide order dated 08.02.2023 (Annexure P.8).

As per the prosecution allegations, FIR was lodged on the statement of Jasvir Kaur, as per which her younger brother Devinder Singh was kidnapped by Sohan Singh and that ransom of Rs.3.5 lacs was demanded. The attribution to

the petitioner is that he had brought Devinder, i.e. victim out of the village by cheating him and then abducted him.

Learned counsel has drawn attention towards the testimony of Devinder Singh made during trial (Copy Annexure P.4) as per which he clearly stated that accused Sandeep as produced in the Court through Video Conferencing (present petitioner) was not the person who was accompanying another co-accused Gulshan and others.

Bail petition was opposed by learned State Counsel on the ground that other two witnesses, namely, Jasvir Kaur and Manjit have supported the prosecution version.

The custody certificate reveals that petitioner is in custody for the last 04 years 10 months and 16 days in the present case, though he is involved in numerous other cases.

Having regard to the long incarceration of the petitioner in the present case and also the testimony of victim Devinder, but without commenting anything further on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistratre concerned, on usual terms and conditions.

January 23, 2024
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(DEEPAK GUPTA)
JUDGE

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