

249

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

CRM-M-49577-2024**Date of Decision: 18.10.2024**

Jaskaran Singh Sodhi alias Karan Sodhi

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

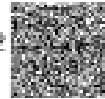
Present : Ms. Manjot Kaur, Advocate for
Mr. Satnam Singh Gill, Advocate, for the petitioner.

Mr. Deepinder Singh Brar, Senior DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.62 dated 14.02.2012 registered under Sections 307, 160, 188, 148, 149 of IPC and under Sections 25 and 27 of Arms Act, at Police Station Civil Lines, Amritsar, District Amritsar.

2. Learned counsel for the petitioner contends that vide order dated 23.01.2024 (Annexure P-3), this Court had directed the trial Court to conclude the trial expeditiously preferably within a period of 8 months. However, there has been no progress in the trial, which is apparent from the zimni orders (Annexure P-4). Learned counsel further contends that as per the allegations levelled by the complainant, the petitioner had fired from his pistol, however, no one had suffered any injury in the present case. She further contends that the petitioner was earlier declared as proclaimed offender in the present case on 04.10.2016, but



after his arrest, he was granted the concession of bail. Again, the petitioner was declared as proclaimed offender on 17.01.2020, but he was re-arrested on 11.11.2022. She further contends that the petitioner is in custody for the last about 2 years and 5 months. She further contends that since there has been no substantial progress in the present case, no purpose will be served by keeping the petitioner behind bars.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. In the present case, even though, the allegations against the petitioner are that the petitioner had fired shots from his pistol, but no one had suffered any injury in the present case. Moreover, the petitioner is in custody for the last more than 2 years and 5 months and the trial is not likely to conclude in near future.

6. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

- (ii) *The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) *The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*
- (iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*
- (v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*
- (vi) *In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*
- (vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*
- (viii) *The petitioner shall report every 1st Monday in English calander month to the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the rojnamcha. In case, he does not report on every 1st Monday to the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.*

18.10.2024.
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(N.S.SHEKHAWAT)
JUDGE

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