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

CRM-M-53983-2023 (O&M)

Date of decision : 28.02.2023

Ramandeep Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Inderjit Sharma, Advocate,
for Mr. Karan Choudhary, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.0070 dated 11.07.2023, under Sections 379-B read with Section 34 of the Indian Penal Code, 1860; and Section 25 of the Arms Act, 1959, registered at Police Station Sadar, District Gurdaspur.

2. Allegations are that petitioner along with other co-accused snatched the car of complainant at gunpoint.

3. Custody certificate produced by learned State counsel is taken on record.

4. Contends that petitioner is in custody since 17.07.2023; investigation is already complete; and charges stand framed on 25.09.2023. Also submits that out of total 17 prosecution witnesses,

none has been examined so far; thus, conclusion of trial will take sufficient long time. Again contended that co-accused-Parambir Singh @ Nanak has already been granted the concession of bail pending trial by the Coordinate Bench on 19.09.2023 (P-2).

5. Learned State counsel, on instructions, has fairly acknowledge the above factual position.

6. Heard both sides and perused the paper-book.

7. Concededly, petitioner is in custody since 17.07.2023; and out of total 17 prosecution witnesses, none has been examined till date; therefore, conclusion of trial may take sufficient long time. Co-accused with similar allegations has already been granted the concession of bail pending trial. It is also not the allegation of State that in case, petitioner is released on bail, he shall influence the witnesses or hamper the course of trial, in any manner; thus, further incarceration of the petitioner would not serve any purpose.

8. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations may not be construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

12. Pending application(s), if any, shall also stand disposed off.

28.02.2024
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

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