

CRM-M-62094-2023

Date of Decision:05.02.2024

Ramandeep Singh @ Raman

...Petitioner

VS.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S. Shekhawat**Present :** Mr. Vijay Lath, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.0159 dated 31.08.2022 registered under Sections 385, 386, 506, 120-B of IPC, at Police Station City Rupnagar, Tehsil and District Rupnagar, Punjab.

2. Learned counsel for the petitioner contends that the present petitioner was initially arrested in a case FIR No.157 dated 30.08.2022 under Sections 379-B, 34 of IPC at Police Station City Rupnagar, District Rupnagar (Annexure P-2). Later on, the petitioner was falsely involved in two more cases by the police. He further contends that the petitioner has already been granted the concession of bail by the Court of Additional Sessions Judge, Rupnagar, in case FIR No.157 dated 30.08.2022 on 03.12.2022, vide order Annexure P-4. Learned counsel further contends that in the present case, the police has already taken the voice sample of the petitioner and expert report in this regard is yet to

be filed before the Court. He further contends that the petitioner was arrested in the present case on 30.08.2022 and no witness has been examined so far.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that two more cases i.e. one similar nature and another under Section 379-B IPC have been registered against the present petitioner and the petitioner does not deserve the concession of bail by this Court.

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

5. The petitioner was arrested in the present case on 30.08.2022 and is in custody for the last more than 01 year and 05 months. Even the prosecution has not been able to examine even a single witness and the custody of the petitioner will not serve any meaningful purpose.

6. 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 and the prosecution shall be at liberty to move a petition for cancellation of bail granted to him.*
- (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 bail bonds and surety bonds of the petitioner.*
- (viii) The petitioner shall report every 1st Monday of English calander month before 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 before 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.*

05.02.2024
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(N.S.SHEKHAWAT)
JUDGE

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