

# Sukhdev Singh @ Sukha vs State Of Punjab on 9 September, 2022

**Author: Harnaresh Singh Gill**

**Bench: Harnaresh Singh Gill**

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

208

CRM-M-14203-2021 (O&M)  
Date of Decision: 09.09.2022

SUKHDEV SINGH @ SUKHA

...Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. CM Munjal, Advocate  
for the petitioner.

Mr. IPS Sabharwal, DAG Punjab.

Mr. Arun Takhi, Advocate  
for the complainant.

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HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.215 dated 01.12.2020, registered under Sections 364-A, 369, 342, 506, 381, 473, 171 and 120-B IPC, at Police Station Dugri Mansa, District Ludhiana.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR and has been indicted in the present case on the basis of the disclosure statement of the co-accused; that the petitioner has been in custody since 04.12.2020; that post presentation of the challan, material witnesses have already been examined and that the co-accused have been granted the concession of regular bail.

Per contra, while opposing the prayer for grant of regular 1 of 2 208 CRM-M-14203-2021 (O&M) -2-bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner along with the other co-accused had actively participated in the occurrence, inasmuch as, the petitioner made a phone call to the father of the minor child (who

was kidnapped by the co-accused) and demanded huge ransom.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 04.12.2020. The petitioner was not named in the FIR. Co-accused have already been enlarged on bail. Complainant has already been examined and most of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

09.09.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No