

Lal Singh vs State Of Punjab on 18 April, 2023

Author: Harnaresh Singh Gill

Bench: Harnaresh Singh Gill

Neutral Citation No:=2023:PHHC:

2023:PHHC:053852

- 1 -

CRM-M-36085-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36085-2022

Date of decision: 18.04.2023

Lal Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Munish Gulati, Advocate,
for the petitioner.

Ms. Rishu Madan, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this second petition, the petitioner seeks regular bail in case FIR No.215 dated 01.12.2020, registered under Sections 364-A, 369, 342, 381, 506 IPC and Sections 411, 473, 171, 120-B IPC and Section 25 of the Arms Act (added later on), at Police Station Dugri, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case and that the role attributed to the petitioner is that he alongwith co-accused Rachpal Singh provided/transported the vehicle bearing No.HR-05-AF-0948 from which the child had been

recovered subsequently. Learned counsel further contends that the petitioner was not named in the FIR, but has been indicted in the present case subsequently, and that the petitioner has been in 1 of 3 Neutral Citation No:=2023:PHHC:053852 2023:PHHC:053852 CRM-M-36085-2022 custody since 11.12.2020.

Learned counsel for the petitioner further contends that one .32 bore revolver alongwith 30 live cartridges and 60 empty cartridges had been recovered from the room of Lal Singh son of Shamsher Singh; that out of 40 prosecution witnesses, 10 witnesses, including the complainant, have already been examined, and that co-accused, namely, Racchpal Singh and Lal Singh son of Shamsher Singh have since been granted the concession of regular bail by the Coordinate Bench and this Court, respectively, vide orders dated 24.05.2022 and 15.03.2023.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that after having kidnapped the child, the petitioner alongwith the co-accused had demanded ransom and also extended threat that in case their demand was not met, they would eliminate the child. She further submits that the material witnesses are yet to be examined.

I have heard the learned counsel for the parties. The petitioner has been in custody since 11.12.2020. Out of 40 prosecution witnesses, 10 witnesses, including the complainant, have already been examined. Trial is unlikely to conclude any time soon. As stated above, the co-accused have since been granted the concession of regular bail. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, 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 2 of 3 Neutral Citation No:=2023:PHHC:053852 2023:PHHC:053852 CRM-M-36085-2022 furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

18.04.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No

Neutral Citation No:=2023:PHHC