

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

Crl. Misc. M-40847 of 2018 (O&M)
Date of Decision: October 25, 2018

Ramesh Kumar @ Resham

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Ms. Rajni Gupta, Senior DAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.40 dated 26.03.2014, under Sections 498-A, 406, 506, 120-B, 323, 34 of Indian Penal Code, registered at Police Station Division No.2, Pathankot.

Learned counsel for the petitioner herein contends that the petitioner was taken into custody in the aforesaid FIR on 13.06.2018. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that investigation in the matter is complete, as the challan has been presented and charges have been framed and conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, however, does not dispute the fact that charges have been framed in the matter. Apart from this, reply filed by the respondent-State by way of affidavit of Sukhjinder Pal Singh, PPS, DSP City Pathankot is taken on record.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 13.06.2018 and that charges have been framed in the matter, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

October 25, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No