

Crl. Misc. No. M-47136 of 2017

(1)

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

Crl. Misc. No. M-47136 of 2017

DATE OF DECISION:01.06.2018

Chetan Sharma

.....Petitioner

Versus

State of Punjab

.....Respondent

**BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

Present:- Mr. SPS Sidhu, Advocate  
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

\*\*\*\*

**DAYA CHAUDHARY, J.**

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to petitioner-Chetan Sharma in case FIR No. 114 dated 12.10.2017 registered under Sections 307,482,34 IPC, 22/61/85 of NDPS Act and 25 of Arms Act at Police Station Hariana, District Hoshiapur.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the case, whereas, there is no connecting evidence against him. Even the recovery was not effected from the petitioner. Co-accused of the petitioner, namely, Hemank Joshi also approached this Court for grant of regular bail by way of filing Crl. Misc. No. M-47194 of 2017, which was allowed vide order dated 28.5.2018. The

case of the petitioner is on better footing viz-a-viz Hemank Joshi as recovery was not effected from him. As per CCTV footage, the petitioner was present on a scooty on 10.10.2017 at 5.15 pm and the police officials came in civil dress and picked up the petitioner along with co-accused-Hemank Joshi. The petitioner is in custody since 12.10.2017. Charges have already been framed but even a single witness has not been examined so far. The trial may take long time to conclude and no purpose will be served by keeping the petitioner behind the bars.

Learned counsel for respondent-State has not disputed the custody period as well as grant of regular bail to co-accused-Hemank Joshi and also the fact that recovery was not effected from the petitioner.

Keeping in view the submissions made by learned counsel for the petitioner and the fact that co-accused of the petitioner, namely, Hemank Joshi has already been released on regular bail; the petitioner is in custody since 12.10.2017 and trial may take long time to conclude, the present petition is allowed. Petitioner-Chetan Sharma is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

June 01, 2018  
pooja

**(DAYA CHAUDHARY)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes  
No