

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

(Heard through VC)

CRM-M-37953 of 2020 (O&M)
Date of Decision: November 19, 2020

Gagan Nischal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Tarun Deep Kumar, Advocate
for the petitioner.

Ms. Monika Jalota, 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.203 dated 26.07.2020, under Section 379-B of Indian Penal Code, registered at Police Station A-Division, Amritsar, District Amritsar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 08.08.2020. It is submitted that the petitioner has been falsely implicated in the present case and there is no other case pending against the petitioner. It is also contended that investigation is complete, as the challan has already been presented and it will take sufficient time to conclude the trial, as such, 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, she does not dispute the fact that challan has already been presented and there is no other case pending against the petitioner.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 08.08.2020; investigation is complete, as the challan has already been presented and it will take sufficient time to conclude the trial, 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.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

November 19, 2020

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No