

212

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-2185-2021 (O&M)
Date of Decision: 18.03.2021

Rishi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Chetan Bansal, Advocate,
for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

CRM-5732-2021:

Prayer in this application is for preponement of the date of hearing in the main case from 09.03.2021 to any early date.

As the date from which the preponement was sought for (09.03.2021) has already gone by nine days ago, accordingly the present application is rendered infructuous.

CRM-M-2185-2021:

1. This is a petition filed under Section 439 of the Code of Criminal Procedure by the petitioner, seeking regular bail in case FIR No.231, dated 21.10.2018, under Sections 307, 397, 34, 148, 149 and 201 of the IPC (Sections 201, 307, 148 and 149 of the IPC added later on) and Section 25 of the Arms Act, registered at Police Station Jandiala, District

2. Seen Custody Certificate of the petitioner, from which it transpires that the petitioner has undergone detention in the present case for exactly two years, since 18.03.2019.

3. In the meantime, the principal witnesses from the prosecution side, including the complainant/victim himself, have been examined.

4. On 25.01.2021, this Court had deferred orders on the present bail petition to enable completion of the complainant's evidence in the Ld. Trial Court. The same has since been completed on 19.02.2021. The complainant would appear to have not supported the prosecution case and he was declared hostile on behalf of the State like the other prosecution witnesses.

5. In such circumstances and without making any further comments on the merits of the case, this Court is of the opinion that further detention of the petitioner, who has already undergone imprisonment for a period of two years, for an indefinite period is not called for. Therefore, his prayer for regular bail is allowed and he is ordered to be released on bail, subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

6. Disposed off.

18.03.2021

Apurva

(SUDIP AHLUWALIA)

JUDGE

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No