

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

CRM-M No.5268 of 2021 (O&M)
Date of Decision.11.02.2021
(Heard through VC)

Raju Rai alias Patang

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ravi Malhotra, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

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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.118 dated 27.06.2020 under Sections 379-B, 148, 149 IPC registered at Police Station Dugri, District Ludhiana.

Counsel for the petitioner *inter alia* would contend that the petitioner has wrongly been implicated in the said FIR as no offence is made out against the petitioner. The petitioner is in custody since 27.06.2020 and the challan has already been presented, therefore, custodial interrogation of the petitioner would no longer be required. It is further argued that the co-accused have already been allowed bail by this Court vide orders dated 28.01.2021 passed in CRM-M Nos.26926 of 2020 & 25712 of 2020 and therefore, prays for concession of bail to the petitioner.

Learned counsel appearing for the respondent-State opposes the bail application of the petitioner by submitting that no ground for bail is

made out, however, she does not dispute the fact that the co-accused have already been allowed bail by this Court.

I have heard learned counsel for the parties.

Keeping in view the fact that the challan has already been presented the fact that the co-accused have already been allowed bail by this Court vide orders dated 28.01.2021 passed in CRM-M Nos.26926 of 2020 & 25712 of 2020, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

February 11, 2021

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No