

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

CRM-M No.5949 of 2021 (O&M)
Date of Decision.15.02.2021
(Heard through VC)

Shiva Khullar @ Shammi

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Paras Jagga, Advocate
for the petitioner.

Ms. Rashmi Attri, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.237 dated 19.09.2020 registered under Sections 379-B, 34 IPC (Section 411 IPC added later on) at Police Station Division-6, District Police Commissionerate, Ludhiana.

Counsel for the petitioner herein *inter alia* would contend that the name of the petitioner was not reflected in the FIR and that he has been falsely implicated. It is further argued that the petitioner in fact is cousin of one of the co-accused namely Vicky and on the basis of alleged conversation between him and the petitioner, the petitioner has been nominated as an accused. It is also argued that as the matter has been investigated, custodial interrogation of the petitioner would no longer be required.

Learned counsel appearing for the respondent-State opposes the grant of bail by contending that no ground for granting bail to the petitioner

is made out.

I have heard learned counsel for the parties.

Keeping in view the fact that the petitioner was not named in the FIR and he was implicated in the said FIR only on the basis of conversation that took place between the petitioner and the co-accused Vicky and the fact that the investigation has already been completed, no useful purpose would be served by keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond of heavy amount 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 15, 2021

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No