

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204)

CRM-M-7829-2020

Date of Decision : August 18, 2021

Kadan Ahmad

.. Petitioner

Versus

U.T. Chandigarh

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. A.P. Kaushal, Advocate, for
Mr. Gurbir Singh Sandhu, Advocate, for the petitioner.

Mr. Sumit Jain, Addl. P.P., for U.T., Chandigarh.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.214 dated 11.08.2019 registered under Sections 153, 153-A and 295-A of the Indian Penal Code, 1860 at Police Station Industrial Area, Chandigarh.

Learned counsel for the petitioner argues that the investigation is already over and the challan has already been submitted by the police and the petitioner is behind the bars for the last more than one year and three months.

Notice of motion.

Mr. Sumit Jain, learned Additional Public Prosecutor for U.T. Chandigarh, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on

behalf of the respondent-State.

Learned counsel for the respondent-State, on the other hand, argues that the witnesses are yet to be examined and therefore, the petitioner be not extended the benefit of regular bail as he is likely to interfere with the trial.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The investigation is already over and the challan has already been submitted. The trial is likely to take some time before it concludes and no useful purpose will be served in keeping the petitioner behind the bars during the trial.

As far as the objection being raised by the learned State counsel that the petitioner is likely to influence the trial is concerned, nothing has been placed before this Court to substantiate the said argument. Learned counsel for the petitioner has undertaken that petitioner will not influence trial in any manner including influencing the witnesses. In case, any material comes to the notice of the authorities that after the grant of regular bail, that petitioner is influencing the trial in any manner, the State will be at liberty to avail appropriate remedy available to them under law.

Keeping in view the above, the petitioner has made out a case for the grant of regular bail.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

August 18, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No