

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14069 of 2021
Date of decision: 07.04.2021

Ramandeep @ Raman

...Petitioner

Versus

State of Punjab

...Respondent

(Through video conferencing)

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Amandeep Singh Mainaise, Advocate
for the complainant.

Harsimran Singh Sethi, J. (Oral)

Custody certificate filed by the learned State counsel is taken
on record.

This is the second petition filed under Section 439 Cr.P.C. for
the grant of regular bail to the petitioner in respect of FIR No.125 dated
08.12.2019 under Section 304-B IPC registered at Police Station Kalanaur,
District Gurdaspur.

Learned counsel for the petitioner submits that the contents of
the FIR are incorrect and the allegations therein have been alleged as an
afterthought. Learned counsel for the petitioner further submits that the
challan has already been presented and the testimonies of the material

witnesses have already been recorded and, therefore, keeping the petitioner behind the bars during the pendency of the trial will not serve any purpose.

Prayer of the petitioner is for the grant of regular bail.

Mr. Luvinder Sofat, AAG, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of the petition submits as per the instructions imparted by S.I. Surjit Raj out of the twenty one prosecution witnesses, five witnesses have already been examined including the complainant and other material witnesses.

Learned counsel for the complainant submits that as the allegations in the FIR are serious in nature, the petitioner be not extended the benefit of regular bail.

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

Once, the material witnesses have already been examined and the trial is likely to take some time before it concludes, no useful purpose will be served in keeping the petitioner behind the bars, who is in custody since 08.12.2019 as the allegations alleged in the FIR are yet to be proved against the petitioner.

Learned counsel for the petitioner undertakes that the petitioner will not obstruct the trial in any manner or influence the witnesses, whose statement is yet to be recorded and will maintain a good conduct while on bail and in case of default of the above undertaking, the State or the learned counsel for the complainant will be at liberty to approach this Court for passing appropriate orders.

Without commenting upon the merits of the case, it is directed

that the petitioner be released on regular bail, subject to the satisfaction of 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.

April 07, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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