

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

113

CRM-M-14505-2021.

Date of Decision: 23.09.2021.

Anthony @ Rahul

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Sahil Puri, Advocate for petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Lalit Batra, J.(Oral)

This petition under Section 439 Cr.P.C has been moved by petitioner-**Anthony @ Rahul** for grant of regular bail in case FIR No.314 dated 30.10.2019 under Sections 201, 379-B and 411 IPC, registered at Police Station City Kapurthala, District Kapurthala.

Learned counsel for the petitioner *inter alia* contends that allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. He further submits that petitioner is languishing in custody since 21.03.2020 and he is no more required by the Investigating Agency for any investigation purpose as after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court on 19.05.2020. He further submits out of total ten (10) prosecution witnesses, four (04) prosecution witnesses including PW-Rajni Joshi (complainant) have already been examined. He further submits that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody

further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail. Custody certificate filed by learned State counsel is taken on record.

I have heard learned counsel for the parties and carefully gone through the record of the case.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 21.03.2020; that petitioner is no more required by the Investigating Agency for investigation purpose as after completion of investigation final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court; that testimony of PW-Rajni Joshi (complainant) has already been recorded and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Anthony @ Rahul** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Kapurthala, as the case may be.

(LALIT BATRA)
JUDGE

23.09.2021
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Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No