

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M-20493 of 2021
Date of Decision : 24.08.2021

Mandeep Singh @ Manna and another

...Petitioners

Versus

State of Punjab

...Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Arnav Sood, Advocate for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

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

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioners in respect of FIR No.34 dated 05.04.2021 registered under Sections 379-B and 411 of IPC at Police Station Mahilpur, District Hoshiarpur.

Learned counsel for the petitioners argues that the complainant Seema Rani was known to the petitioner No.1 and petitioner No.2 had only accompanied the petitioner No.1, when he was going to meet the complainant. Learned counsel for the petitioner submits that at the time of meeting, some arguments took place between the petitioner No.1 and the

complainant and, therefore, the petitioners were involved in the present FIR. Learned counsel for the petitioners further submits that the investigation is already over and the challan has also been submitted and, therefore, no useful purpose will be served by keeping the petitioners behind the bars.

Learned State counsel on instructions from ASI Daljit Kumar submits that though, the challan has already been presented but, the charges are yet to be framed and the prosecutrix is yet to be examined and it is very likely that the petitioners will interfere in the trial by intimidating the witnesses including the prosecutrix.

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

Keeping in view the facts and circumstances of the present case, when the investigation is over and challan has already been presented, no useful purpose will be served by keeping the petitioners behind the bars, especially, when learned counsel for the petitioners undertakes that the petitioners will maintain good conduct while on bail and will not obstruct the trial in any manner or influence the witnesses, whose statement is yet to be recorded, the petitioners have made out a case for the grant of regular bail.

In case of default of the above undertaking or in case, any complaint is received alongwith some cogent evidence that the petitioners are interfering in the trial or intimidating the witnesses, the State will be at liberty to approach this Court for re-consideration of the present order granting bail to the petitioners.

Without commenting upon the merits of the case, it is directed that the petitioners 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.

August 24, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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