

CRM-M-30643-2021 (O&M)

THROUGH VIDEO CONFERENCE

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

**CRM-M-30643-2021 (O&M).
Decided on: August 10, 2021.**

Dinesh

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Amandeep Singh Manaise, Advocate,
for the petitioner.**

Mr.Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure, seeking regular bail in FIR No.28 dated 13.04.2021, under Sections 379, 380, 328, 411 and 420 IPC, 1860 and under Sections 61, 61A, 63, 78 of the Punjab Excise Act, 1914, 1959, registered at Police Station Talwara, District Hoshiarpur.

The learned counsel for the petitioner has submitted that it is a case where the petitioner has been falsely implicated. He has further submitted that the petitioner is on parity with other co-accused who have been granted regular bail by this Court on 20.07.2021, vide Annexure P-2. He has further submitted that the petitioner is in custody since 13.4.2021

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and there is no other case against the petitioner and therefore, the petitioner be considered for the grant of regular bail.

On the other hand, learned State counsel has stated that it is correct that the petitioner is in custody since 13.4.2021 and there is no other case against the petitioner. It is also not disputed that the petitioner is on parity with other co-accused who have been granted regular bail by this Court on 20.07.2021, vide Annexure P-2.

I have heard the learned counsel for the parties.

The petitioner is in custody since 13.4.2021 and there is no other case against the petitioner. Admittedly, the petitioner is on parity with other co-accused who have been granted regular bail by this Court on 20.07.2021, vide Annexure P-2. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with the evidence or may flee from justice.

Therefore, keeping in view the totality of circumstances of the present case, the present petition is allowed. It is ordered that the petitioner shall be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

August 10, 2021.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No