

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-34074 of 2021
Date of Decision : 10.09.2021

Jamaludeen Rayan

..Petitioner

Versus

State of Punjab

...Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Harmanpreet Singh, Advocate for
Mr. J.S. Jaidka, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

The 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.127 dated
16.06.2021 registered under Sections 457 & 380 of IPC at Police Station
Daresi, District Ludhiana.

Learned counsel for the petitioner argues that the investigation
in the present case is already over and the trial is likely to take some time
before it concludes and the petitioner undertakes that he will maintain good
conduct while on bail and will not obstruct the trial or influence the
witnesses in any manner, therefore, he be granted the benefit of regular bail.

Learned State counsel submits that the mobile phones alleged
to have been stolen by the petitioner, has already been recovered from him.

Learned State counsel does not dispute that the challan has already been

submitted after the completion of investigation.

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 petitioner behind the bars, especially, when learned counsel for the petitioner undertakes that the petitioner will maintain good conduct while on bail and will not obstruct the trial or influence the witnesses in any manner, whose statement is yet to be recorded, the petitioner has 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 petitioner is 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 petitioner.

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.

September 10, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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