

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

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**CRM-M-39330 of 2021
Date of Decision : 29.10.2021**

Amrik Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amandeep Saini, Advocate for the petitioner.

Mr. K.S. Aulakh, 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.108 dated 15.07.2021 registered under Sections 379-B of the IPC (Section 411 of the IPC added later on) at Police Station Nangal, District Rupnagar.

Learned counsel for the petitioner argues that in the present case, the petitioner is behind the bars since 16.07.2021 and the challan has already been presented. Learned counsel for the petitioner submits that the petitioner is not involved in any other case and no useful purpose will be served by keeping the petitioner behind the bars as the trial is likely to take some time before it concludes, therefore, he be granted the benefit of regular bail.

Learned State counsel concedes that though, in the order passed by the trial Court, by which, the prayer of the petitioner for the grant

of regular bail has been declined, it has been mentioned that the petitioner is a habitual offender but, as per his instructions received from ASI Gurnaib Singh, there are no other cases pending against the petitioner.

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

Once, the investigation in the present case is already over and the challan has also been submitted and the trial is likely to take some time before it concludes and there are no other cases pending against the petitioner coupled with the fact that the learned counsel for the petitioner undertakes that the petitioner will not obstruct the trial or influence the witnesses, whose statements are yet to be recorded in any manner, the petitioner has made out a case for the grant of benefit of regular bail.

In case of default of the undertaking given by the learned counsel for the petitioner, the State 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.

October 29, 2021

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No