

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CRM No. M- 39594 of 2021
Date of Decision : 07.12.2021

Tarun Kumar @ Lucky

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jagjot Singh Lalli, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.
(keeping in view advance copy given)

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 FIR No. 61 dated 07.04.2021, registered under Sections 380, 457 IPC at Police Station Jodhewal, District Ludhiana.

Learned counsel for the petitioner argues that though, the petitioner is stated to be involved in other FIRs, which have been noticed in the order passed by the trial Court declining the regular bail, but the petitioner is on regular bail in those cases except for one. Learned counsel for the petitioner submits that in the present case also the investigation is already over and the challan has been presented and the allegations are yet to be proved in the trial and the trial is likely to take some time, hence the

petitioner may kindly be granted the benefit of regular bail so as to grant

him another opportunity to lead a good life. Learned counsel for the petitioner submits that petitioner undertakes that in case, he is granted the concession of regular bail, he will not indulge in any activity violating the law.

Notice of motion.

Mr. Kirat Singh Sidhu, learned Deputy Advocate General, Punjab, who is present in Court, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel submits that as the petitioner is a habitual offender, he may not be granted the concession of regular bail though, it is conceded that in the present case, the investigation is over and challan has already been presented by the investigating agency.

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

As the petitioner is already on bail in other cases except for one and he intends to lead a good life and has prayed for another chance for the said purpose, the prayer of the petitioner for the grant of regular bail is accepted, especially, in view of the fact that allegations are yet to be proved during the trial and trial will take some time before it conclude and the petitioner has undertaken before this Court that he will not indulge in any illegal activity henceforth and will not influence the trial in any manner and will also maintain good conduct. In case of default of the undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the 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.

December 07, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? Yes