

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(207)

CRM-M-39877-2021

Date of Decision : October 01, 2021

Rohan Sharma

.. Petitioner

Versus

State of Punjab

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jasjit Singh, Advocate, for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

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.0117 dated 21.11.2018 registered under Sections 406 and 420 IPC (Section 201 IPC added later on) at Police Station Kotwali Nabha, District Patiala.

Learned counsel for the petitioner submits that in the present case, not only the charges have been framed but the complainant has also been examined. Learned counsel for the petitioner further submits that keeping the petitioner behind the bars any further will serve no useful purpose as he is behind the bars for the last approximately one and half year and the trial is likely to take some time before it concludes.

Notice of motion.

Mr. Sandeep Kumar, learned Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping

in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State, on the instructions from SI Sukhdarshan Singh, Police Station Kotwali, Nabha, submits that there are other cases pending against the petitioner for which, the FIRs have been registered, the details of which have been given in para 13 of the petition itself and therefore, though the complainant has been examined, the prayer for the grant of regular bail to the petitioner may kindly be rejected.

Learned counsel for the petitioner submits that in all the other cases, except the present one, the petitioner has been extended the benefit of bail.

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

Once, the complainant has already been examined and the allegations alleged in the present case are to be proved during the trial, no useful purpose will be served in keeping the petitioner behind the bars during the trial as the trial is likely to take some time before it concludes especially in view of the undertaking of the petitioner that if the concession of bail is granted to him, he will maintain good conduct while on bail and will not influence the trial or witnesses in any manner.

Keeping in view the above, the petitioner has made out a case for the grant of regular bail.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

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 01, 2021

harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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