

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No.1155 of 2021 (O&M)
Date of Decision:20.12.2021

Nitesh ...Petitioner

Versus

State of U.T., Chandigarh ...Respondent

2. **CRR No.1201 of 2021**

Vicky ...Petitioner

Versus

State of U.T., Chandigarh ...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Salil Dev Singh Bali, Advocate
for the petitioner.

Mr. A.M. Punchhi, PP, U.T., Chandigarh.

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JAISHREE THAKUR, J. (ORAL)

1. By this common order, this Court proposes to dispose of the revision petitions bearing CRR Nos.1155 & 1201 of 2021 wherein both the petitioners, being juveniles, seek relief of regular bail in FIR No.36 dated 18.02.2019 registered under Sections 307, 34 IPC (Sections 147, 148, 149, 302 IPC added later on) at Police Station Mauli Jagran, Chandigarh.

2. Learned counsel for the petitioner(s) would submit that the petitioners herein have undergone an incarceration of 2 years 5 months and the trial is likely to take some time to conclude, as out of 18 witnesses only 5 witnesses stand examined. It is argued that the material witnesses have already been examined, therefore, the possibility of influencing the witnesses is far off.

There is nothing to be recovered from the petitioners herein, thus, no purpose would be served in keeping the petitioners under detention.

3. Learned counsel appearing for the respondent-U.T., Chandigarh strongly opposes grant of regular bail to the petitioners by contending that the trial is likely to conclude within a very short span of time as only formal witnesses are to be examined, however, does not dispute the fact that the material witnesses have already been examined.

4. I have heard learned counsel for the parties and have perused the paper book. Keeping in view the fact that the petitioners herein are in incarceration from 20.02.2019 and the material witnesses have already been examined and the fact that the trial is likely to take some time to conclude, this Court deems it appropriate to allow regular bail to the petitioners herein. Consequently, the crl. revision petitions are allowed and the petitioners are directed to be released on regular bail on execution of personal bond of Rs.25,000/- and a surety of like amount to the satisfaction of concerned Juvenile Justice Board. However, it is made clear that any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

December 20, 2021
Pankaj*

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