

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(216)

CRM-M-45251-2021

Date of decision: - 17.11.2021

Sukhwant Singh @ Sukha

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Manpreet Singh, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.
(keeping in view of 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.39 dated 30.03.2021, registered under Section 306 IPC (later on added offence under Sections 420, 465, 468, 471 and 120-B IPC), at Police Station City Moga, District Moga.

Learned counsel for the petitioner argues that the petitioner had only worked as an employee with the deceased and the allegations which have been alleged against him, are totally false and frivolous. Learned counsel for the petitioner further argues that in the present case the investigation is already over and the challan has been presented and co-accused, namely, Mandeep Singh has been extended the benefit of

regular bail by this Court in CRM-M-35767-2021, vide order dated 07.09.2021 and therefore, the petitioner may kindly be extended the concession of regular bail.

Notice of motion.

Mr. Sandeep Singh Deol, 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 the allegation alleged against the petitioner is that he did not return the money to the deceased, due to which he got depressed and took his own life. Learned State counsel concedes that the investigation is over and the challan has already been presented and another co-accused, namely, Mandeep Singh has already been granted the concession of regular bail.

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

Once, the investigation is already over and the challan has been presented and the allegations against the petitioner are yet to be proved during the trial, no useful purpose will be served by keeping him behind the bars as the trial is likely to take some time before it concludes especially when learned counsel for the petitioner has undertaken before this Court that the petitioner will not influence the witnesses or the trial in any manner.

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, if not required to be detained in any other case, subject to the

satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence the trial in any manner and in case of default of the above undertaking, the State/complainant 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.

November 17, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No