

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(228)

CRM-M-47291-2021

Date of Decision : December 16, 2021

Varinder Kumar

.. Petitioner

Versus

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep S. Majithia, Advocate,, for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

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.0112 dated 21.09.2021 registered under Section 379 of the Indian Penal Code, 1860 (Sections 411 and 413 IPC added later on) at Police Station Meharban, District Police Commissionerate Ludhiana.

Learned counsel for the petitioner argues that the investigation in the present FIR is already over and the challan has already been submitted and as the trial is likely to take some time before it concludes, the petitioner may kindly be granted the benefit of regular bail.

Learned counsel for the respondent-State does not dispute the fact that the investigation is over and challan has already been presented before the competent Court of law though, charges are yet to be framed.

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

The allegations against the petitioner are yet to be proved during the trial and as the investigation is over and the trial is likely to take some time before it concludes, no useful purpose will be achieved in keeping the petitioner behind the bars as nothing has been presented before this Court that petitioner will misuse the concession of bail if extended. Rather learned counsel for the petitioner submits that in case, the petitioner is granted the concession of regular bail, he will not misuse the same by interfering with the trial or the witnesses, hence, 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. 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.

December 16, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : Yes