

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-6007-2021
Reserved on :13.12.2021
Pronounced on: February 07, 2022

Sanjeev Kumar @ Charbi ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amandeep Singh Manaise, Advocate for the petitioner.
Mr. Sidakmeet Singh Sandhu, AAG, Punjab.
Mr. Parvesh Sachdeva, Advocate for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
72	06.07.2018	City Fazilka, District Fazilka	302, 201, 34 IPC

1. The petitioner, incarcerated upon his arrest has come up before this Court under Section 439 CrPC, seeking bail.
 2. In paragraph 15 of the petition, it is declared that the accused has no criminal history. However, as per custody certificate, one FIR No.244/2.10.2019/52-A Prison Act & 22, 61, 85 NDPS Act/City Ferozepur is pending against the petitioner.
 3. Ld. Counsel for the petitioner contends that the pre-trial incarceration would cause an irreversible injustice to the petitioner and family.
 4. While opposing the bail, the contention on behalf of the State is that offence is heinous.
 5. Given the observations of this Court, it would be appropriate that the prosecution and the trial court take steps for examination of all material witnesses except formal & police at the earliest and not later than three months.
 6. Given above, In the facts and circumstances peculiar to this case, the petition is dismissed. However, the petitioner shall be at liberty to file a new petition on the same cause of action after three months.
- Petition dismissed in aforesaid terms. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

February 07, 2022
Sonia arora

Whether speaking/reasoned: Yes
Whether reportable: No