

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

218

CRM-M-7706-2022

Date of Decision : **February 28, 2022**

SANTOSH KUMAR ALIAS PEDU

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Through Video Conferencing

Present : Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.274 dated 19.9.2020 under Sections 307/452/323/324/148/149 IPC, registered at Police Station Division No.8, Jalandhar.

The learned counsel for the petitioner has submitted that the petitioner is in custody for the last five months and in the present case the police has completed the investigation and has presented the challan before the competent Court. He has further submitted that the petitioner is not involved in any other case and he has clean antecedents and has been falsely implicated in the present case. He submitted that the other co-accused against whom the present FIR was lodged and were also involved in other cases have been granted bail by this Court vide Annexures P-2 and P-3 and so far as the present petitioner is concerned, he is not involved in any other case. He further submitted that no

recovery is to be effected from the petitioner and, therefore, he may be considered for the grant of regular bail.

On the other hand, the learned State counsel has submitted that it is correct that the petitioner is in custody for the last five months i.e. 15.9.2021. He has further submitted on instructions that it is correct that the petitioner is not involved in any other case. He submitted that no specific injury has been attributable to the petitioner as per the FIR.

I have heard the learned counsels for the parties.

The petitioner is in custody from 15.9.2021 and the investigation of the case is already complete. The petitioner is not involved in any other case. As per the prosecution, no specific injury has been attributable to the petitioner. Some of the other co-accused have been granted bail by this Court. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with any evidence or may flee from justice.

Therefore, considering the totality of the circumstances of the present case, I deem it fit and proper to grant bail to the petitioner.

Consequently, the petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

February 28, 2022

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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No