

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 9593 of 2022
Date of Decision: 11.3.2022

Ajay @ Chuppa

.....Petitioner

Versus

State of U.T., Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Kamal Chaudhary, Advocate
for the petitioner.

Mr. P.S.Paul, Addl. P.P., U.T., Chandigarh.

SURESHWAR THAKUR, J. (ORAL)

1. In FIR bearing No. 0074 of 25.6.2021, offences constituted under Sections 147, 148, 149, 352, 395, 412, 427 IPC, are embodied. The afore FIR is registered at Police Station Mauli Jagran, U.T, Chandigarh.

2. The learned State counsel, on instructions meted to him by ASI Rajesh Kumar, submits that, in the present case, no injury has been inflicted on the person of the complainant. He further submits that the investigations into the offences (supra), are complete, and, that all the relevant recoveries, appertaining to the crime, inasmuch as of the kirpan, stand effectuated, at the instance of the bail applicant-petitioner, to the investigating officer concerned. He further submits that after the filing of a report under Section 173 Cr.P.C., before the learned Court concerned, the charges have been framed against the accused concerned.

3. Consequently, when the entire investigations are complete, and, also when all the requisite recoveries have been effected, and, besides when

the bail applicant-petitioner is suffering judicial custody since 25.6.2021. Therefore, it is not deemed fit, and, appropriate to prolong the judicial incarceration of the petitioner-bail applicant.

4. Consequently, the instant petition is allowed, and, the petitioner-bail applicant is ordered to be released from judicial custody. However, the granting of bail to the bail applicant-petitioner, is subject to his furnishing personal and surety bonds in the sum of ₹50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, his not influencing prosecution witnesses, and, besides also his appearing before the learned trial Court concerned, as and when directed to make his personal appearance.

5. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

March 11, 2022
Gurpreet

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