

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CRM No. M-8949 of 2022

Date of Decision : 08.03.2022

Parwinder Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Tarundeep Kumar, Advocate for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 17 dated 08.04.2021, registered under Section 379-B, 34 IPC at Police Station City Raikot, District Ludhiana (Rural).

Learned counsel for the petitioner argues that the petitioner was not named in the FIR but has been roped in only on the basis of the disclosure statement of the co-accused that the petitioner was involved in the present case. Learned counsel for the petitioner submits that even the recovery of the Car allegedly used, has been done from the co-accused and, therefore, as the petitioner is behind bars since 10.05.2021 and the investigation is already over, no useful purpose will be achieved in keeping the petitioner behind bars during the entire period of trial as the petitioner undertakes not to influence the trial or the witnesses in any manner in case

he is extended the concession of regular bail.

Notice of motion.

Mr. Hittan Nehra, learned Additional 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 though concedes the factum that the petitioner was roped in the present case on the basis of disclosure statement of the co-accused but submits that as the petitioner is involved in the other cases as well, he will indulge himself in illegal activities again if granted bail and, therefore, the prayer of the petitioner for the grant of regular bail may kindly be declined.

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

Keeping in view the fact that the petitioner was involved in the present case on the basis of disclosure statement of the co-accused and the Car alleged to have been used in the commission of crime was recovered from the co-accused and the investigation is already over and the trial is likely to take some time before it concludes keeping in view the restricted working of the Courts due to pandemic of Covid-19 coupled with the fact that petitioner has undertaken before this Court not to influence the trial or the witnesses in any manner, he has made out a case for the grant of regular bail.

As far as the argument of learned State counsel that the petitioner will again indulge himself in same illegal activities or will influence the witnesses, nothing has been placed on record to support the

said contention as of now but in case, the petitioner indulges in these kind of activities and any cogent evidence is brought to the notice of the Court, appropriate order will be passed as and when any such application is filed by the State.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

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.

March 08, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes

Whether reportable? No