

CRM-M-10029-2022 (O&M)

Through video conference

227

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

CRM-M-10029-2022 (O&M).

Decided on: March 14, 2022.

Ishal Choudhary alias Ishu alias Rishu

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Vishal Sharma (Vasudva) 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, seeking regular bail in FIR No.136 dated 1.9.2021, under Sections 323, 324, 307, 148 and 149 IPC (Section 326 IPC added later on), registered at Police Station Division No.2, Pathankot, Punjab.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody since 15.11.2021 and in the present case, the investigation of the case is already complete and challan

CRM-M-10029-2022 (O&M)

has been presented before the competent Court on 12.2.2022 and now the case is fixed for framing of charges. He submitted that so far as present petitioner is concerned, he has been falsely implicated in the present case and is not involved in any other case and has clean antecedents. He submitted that since no recovery is to be effected from the petitioner and another co-accused namely Ravi Kumar @ Romey who is on parity with the petitioner has already been granted the concession of regular bail vide Annexure P-6, the petitioner may also be considered for the grant of regular bail.

On the other hand, learned State counsel has submitted that so far as parity of the petitioner with another co-accused who has been granted the concession of regular bail vide Annexure P-6, is concerned, the same is correct and it is also correct that the petitioner is in custody since 15.11.2021 and after completion of investigation, the report under Section 173 (2) Cr.P.C. has been presented before the competent Court.

I have heard the learned counsel for the parties.

Petitioner is admittedly on parity with aforesaid co-accused who has been granted the concession of regular bail vide Annexure P-6. Investigation of the case is already complete and report under Section 173 (2) Cr.P.C. also stands presented before the competent Court. As per the learned counsel for the parties, the petitioner is not involved in any other case and has clean antecedents. 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.

CRM-M-10029-2022 (O&M)

Therefore, considering the facts and circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner. Accordingly, the present petition is allowed. It is ordered that the petitioner shall be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

March 14, 2022.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

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