

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

(THROUGH VIDEO CONFERENCING)

CRM-M-11483-2022

Date of Decision: 23.3.2022

Faizal @ Faisal

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. J.S.Bhinder, Advocate
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.207 dated 22.9.2021 registered for the offences punishable under Sections 307, 324, 395 IPC and Sections 25, 54, 59 of Arms Act (Section 411 IPC added later on) at Police Station Passiana, District Patiala.

Counsel for the petitioner submitted that the petitioner was not named in the FIR and no incriminating article was recovered from his possession. It is further submitted that investigation has been completed and the petitioner is in custody since 23.9.2021. So prayer is made by the counsel for the petitioner that the petitioner be released on regular bail.

The present petition has been opposed by the State counsel who submitted that serious allegations are appearing against the petitioner that he along with other accused persons snatched one truck loaded with 16

I have considered the submissions made by the counsel for the parties.

Admittedly, the petitioner was not named in the FIR and his name as an accused was disclosed by the complainant in his supplementary statement. The petitioner was arrested in the present case on 23.9.2021 and is presently lodged in judicial custody. On completion of investigation, challan has already been presented in the Court by the police. During the investigation of the case, no incriminating article was recovered from the possession of the petitioner. Co-accused Babbu Khan who is also facing similar charges has already been granted regular bail by this Court vide order dated 10.3.2022 (Annexure P-3).

It will take time for conclusion of trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

March 23, 2022

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No