

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 14728 of 2022

Date of Decision: 20.4.2022

Ranjodh Singh @ Jodha

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Amit Sharma, Advocate
for the petitioner.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 439 Cr.P.C., seeking the indulgence of regular bail, being granted to the petitioner.
2. In FIR bearing No. 95 of 7.4.2021, registered at Police Station Chhehrata, District Amritsar, offences constituted under Sections 379-B, 201, 411 IPC, are embodied.
3. The learned counsel for the petitioner submits, that neither the petitioner is named in the FIR (supra), nor any recovery has been effected from him, and, he is suffering judicial incarceration since 18.4.2021.
4. The learned State counsel submits, that after completion of investigations into the FIR (supra), an affirmative report under Section 173 Cr.P.C., has been instituted before the learned Magistrate concerned. Thereupon, this Court does not deem it fit, and, appropriate to prolong the judicial incarceration of the bail applicant-petitioner, as it has commenced since 18.4.2021

5. However, the learned State counsel submits, that since the bail

applicant-petitioner is a habitual offender, thereupon, in case the facility of bail is granted to him, thereupon, there is every likelihood of his re-indulging in penal activities.

6. However, the vigour of the afore made submission, of the learned State Counsel, before this Court, can be mitigated, by imposition of stringent conditions, upon the petitioner-bail applicant.

7. Consequently, the instant petition is allowed, and, the petitioner-bail applicant is ordered to be released from judicial custody, if not required in any other case. 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 trial Court concerned, as and when directed to make his personal appearance. Further, subject to petitioner-bail applicant making an undertaking before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, that in case, he re-indulges in criminal activities, whereupon, on breach thereof, the order made today, shall become *ipso facto* annulled, and, that, upon, his being forthwith arrested by the investigating officer concerned, the latter shall produce the petitioner-bail applicant before the trial Court concerned, for the latter making an order for his being put to judicial custody.

8. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

April 20, 2022
Gurpreet

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