

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No. 19950 of 2022
Date of Decision: 16.05.2022**

Lokendra Ranbahadur Swar

..... Petitioner

Versus

State of U.T., Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Gurbir Singh Sandhu, Advocate,
for the petitioner.

Mr. Kuldeep Tiwari, Addl. Public Prosecutor, U.T., Chandigarh.

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner, by filing the present petition under Section 439 Cr.P.C., seeks grant of regular bail in case FIR No. 205 of 23.10.2021, which was registered against him, at Police Station Sector-36, Chandigarh, constituting therein offences under Sections 328 & 381 of the IPC (Sections 324, 381, 395, 411, 458 & 120-B of the IPC added later on).
2. The bail applicant-petitioner is stated to be suffering judicial incarceration since 02.12.2021.
3. The incriminatory role, as, assigned to the present bail petitioner, is that, he alongwith his co-accused after mixing poison in the food, to be consumed by their master, hence committing the petition offences, and, also looting their masters' jewellery and cash.
3. The learned counsel for the U.T., Chandigarh, submits, that the recoveries relating to the present petitioner stand(s) effectuated, by him, to the Investigating Officer (IO) concerned, during the course of the latter taking his police remand. He also submits that after completion of investigations, a

Magistrate concerned.

4. Be that as it may, and, also bearing in mind the fact, that the bail applicant is suffering judicial incarceration since 02.12.2021, besides when no evidence has been adduced by the prosecution, suggestive that in the event of the bail applicant being enlarged on regular bail, there is every likelihood of his fleeing from justice, and, or, tampering with prosecution evidence. Consequently, this Court does not deem it fit to order for any prolongation of the judicial incarceration of the petitioner, as, thereupon, his personal liberty would become unnecessarily curtailed, and, fettered. Contrarily, it is deemed appropriate to admit the bail petitioner to regular bail.

5. Consequently, the instant petition is allowed, and the bail applicant – petitioner is ordered to be released from judicial custody, on 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/or not influencing prosecution witnesses, and, also his appearing before the trial Court concerned as and when he is required to be making his personal appearance unless validly exempted.

May 16, 2022

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**(SURESHWAR THAKUR)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>