

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-22321-2022

Date of Decision: 27.5.2022

Davinder Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sarju Puri, Advocate
for the petitioner.

Mr. R.S.Sidhu, 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.66 dated 27.8.2020 registered for the offences punishable under Sections 406, 420 IPC at Police Station Hajipur, District Hoshiarpur.

Counsel for the petitioner contends that the petitioner is in custody since 28.2.2022 and is presently lodged in judicial custody and the police has presented the challan after completion of investigation. Counsel further contends that co-accused Bakshish Singh has already been granted regular bail.

State counsel on instructions from ASI Parvesh Kumar has not disputed date of arrest of the petitioner as well as the fact that the police has presented the challan and that co-accused has been granted bail. However, State counsel, while contesting the present petition, submits that earlier he was declared as proclaimed person in the present case and is also facing one

more criminal case of the same nature.

I have considered the submissions made by the counsel for the petitioner as well as the State counsel.

All the offences are triable by the Court of JMIC. The petitioner was apprehended on 28.2.2022 and on completion of investigation, the police has presented the challan/supplementary challan and it will take time for the trial to conclude as the same is yet to commence. Admittedly, co-accused Bakshish Singh has already been granted concession of bail.

In view of above, no purpose is going to be served by keeping the petitioner in custody for any longer period despite the fact that earlier he was declared as proclaimed person.

Thus, 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.

(KARAMJIT SINGH)
JUDGE

May 27, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No