

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-23305-2022

Date of Decision: 31.5.2022

Ikramodeen Khan and another

....Petitioners

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. R.S.Athwal, Advocate
for the petitioners.

Ms. Jaspreet Kaur, 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 petitioners in case FIR No.0253 dated 29.12.2021 registered for the offences punishable under Sections 61(1) and 78(2) of Punjab Excise Act and Sections 420, 120-B IPC (Sections 465, 467, 468, 471 IPC added later on) at Police Station Lalru, District SAS Nagar.

Counsel for the petitioners contends that the petitioners were arrested on 29.12.2021 and the alleged recovery has already been effected and the police has presented the challan against the present petitioners and it will take time for trial to conclude. So, counsel for the petitioners made prayer that the petitioners deserve to be released on bail.

State counsel on instructions from ASI Onkar Singh has not disputed the fact regarding custody period of the petitioners and recovery already effected and the fact that on completion of investigation, challan has

been presented against the present petitioners.

State counsel also apprises the Court that charges have been framed but only one PW out of total 14 PWs has been examined. She has also not disputed the fact that the petitioners are not having any criminal history.

Admittedly, the petitioners are in custody for the last about 5 months and it will take time for trial to conclude. Thus, no useful purpose is going to be served by keeping the petitioners 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 petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

May 31, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No