

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-27983-2022

Date of Decision: 29.8.2022

Sudhakar Jha

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Shakti Mehta, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, 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.114 dated 19.5.2022 registered for the offences punishable under Sections 171, 419, 420, 465, 467, 468, 471, 506 IPC at Police Station Tanda, District Hoshiarpur.

Counsel for the petitioner submits that the petitioner is in custody since 25.5.2022; that after completion of investigation, the police has presented the challan but charges are yet to be framed and thereafter, it will take considerable time for the trial to conclude. So, prayer is made that the petitioner be granted benefit of regular bail.

Present petition is resisted by the State counsel who submits that the petitioner is also involved in one another case of similar nature and that the trial is yet to commence after framing of charges.

Status report by way of affidavit of Kulwant Singh, DSP, Sub

Division, Tanda, District Hoshiarpur along with custody certificate filed on behalf of respondent-State is ordered to taken on record.

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

In the present case, all the offences are triable by the Court of Judicial Magistrate, 1st Class. As per custody certificate furnished by the State counsel, the petitioner is behind bars for the last more than 3 months. Counsel for the petitioner has clarified that the petitioner has been granted anticipatory bail in another criminal case being faced by him and copy of the said order is Annexure P-5. Admittedly, the police has presented the challan after conclusion of the investigation.

It will take time for the trial to terminate after framing of charges. 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.

(KARAMJIT SINGH)
JUDGE

August 29, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No