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

**CRM-M-36084-2022
Date of Decision: 23.08.2022**

Vishal Singh @ Rana

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. B.R. Rana-I, Advocate,
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

This is the fourth petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.208 dated 23.11.2020, under Sections 323, 324, 341, 506 & 34 IPC (Section 326 IPC added later on), registered at Police Station Sahnewal, District Ludhiana.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 10.07.2021, which is more than one year. He further submitted that after the completion of investigation of the case, challan has been presented before the competent Court. He also submitted that the petitioner has been falsely implicated in the present case in view of the enmity between the petitioner and the complainant. He further submitted that ten days prior to the lodging of the FIR, the servant of the present

complainant had lodged an FIR against the petitioner on false grounds and in the chain of the same, sequence of the event, the present FIR was lodged against the petitioner. He also submitted that be that as it may, the investigation of the case is already completed and no recovery is to be effected from the petitioner, since challan has already been presented before the competent Court, therefore, the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. Kunal Vinayak, learned AAG, Punjab has stated that it is correct that the petitioner is in custody since 10.07.2021, which is more than one year and investigation of the case has been completed and thereafter, challan has also been presented before the competent Court, however, charges have not been framed till today.

I have heard the learned counsel for the parties.

The petitioner is in custody from more than one year and the investigation of the case is complete. As per the learned State counsel, no recovery is to be effected from the petitioner. The trial of the case may take long time. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may abscond or flee from justice or may influence any witness. Therefore, in view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

23.08.2022

(JASGURPREET SINGH PURI)
JUDGE

Bhumika

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |