

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

Sr. No.211

CRM-M-42571-2021

Date of decision : 13.12.2022

Ravinder Singh @ Ravi

.....Petitioner(s)

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr.JS Jaidka, Advocate for the petitioner

Mr.Manipal Singh Atwal, DAG, Punjab

AMAN CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.44 dated 23.5.2020 under Sections 302, 34 IPC at Police Station Sadar Raikot, District Ludhiana.

Learned counsel submits that the petitioner, who is 25 year old, is in custody since 29.5.2020. There is inordinate delay of 5 days in lodging the FIR. No recovery is to be effected from him. He submits that the material witnesses including the complainant have been examined and 13 PWs still remain to be examined. He is not involved in any other criminal case. Learned counsel submits that the injury, which has been attributed to the petitioner, was not the one, which proved fatal.

Learned State counsel opposes the bail petition on the ground that the petitioner had given the injury on the head with wooden bala (stick), though co-accused had also given iron rod injury on the head of the deceased. However, he is unable to controvert the fact that the petitioner is in custody since 29.5.2020, out of a total of 17 PWs, 4 have been examined including the complainant and he is not involved in any other criminal case.

Heard.

Keeping in view the facts and circumstances of the case, in particular that the petitioner, who is 25 year old, is in custody since 29.5.2020; he is not involved in any other criminal case; there are a total of 17 PWs, out of which 4 have been examined including the complainant; conclusion of the trial will take a considerable time, his further detention behind the bars would not serve any useful purpose, thus, the present petition for grant of regular bail deserves to be allowed.

As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to him not being required in any other case. The petitioner shall abide by the following conditions:-

1. The petitioner will not tamper with the evidence during the trial.
2. The petitioner will not pressurise/ intimidate the prosecution witnesses.
3. The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
4. The petitioner shall surrender his passport, if any, and will not leave the country without the permission of the Trial Court.
5. The petitioner shall not commit an offence similar to the offence of which, she is an accused, or for commission of which he is suspected of.
6. The petitioner shall not directly or indirectly coerce, inducement, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
7. The petitioner shall not in any manner misuse his liberty.
8. The petitioner will furnish correct mobile number and residential address and shall not change the same without prior intimation to the trial Court.

It is made clear that in case of any infraction of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

Nothing stated hereinabove be construed as a final expression

of opinion on the merits of the case and the trial would proceed

GAURI SHANKER
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I attest to the accuracy and
integrity of this document

independently of the observations made above, which have only been made for the purpose of adjudicating the present petition for grant of regular bail.

13.12.2022
gsv

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No