

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

(Heard through VC)

CRM No.2566 of 2022 in/and
CRM-M-48073 of 2021 (O&M)
Date of Decision: January 28, 2022

Shiva Mishra

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Munish Puri, Advocate
for the petitioner.

Mr. A.S. Gill, Sr. DAG Punjab.

JAISHREE THAKUR, J. (Oral)

CRM-2566-2022

Allowed as prayed for.

Communication dated 12.5.2021 is taken on record as
Annexure P-3, apart from taking on record the amended headnote and
prayer clause.

CRM-M-48073-2021

The instant petition has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in case FIR No.157 dated
16.08.2021, under Sections 420, 120-B of Indian Penal Code, registered at
Police Station Shahpurkandi, District Pathankot.

Learned counsel for the petitioner contends that the petitioner
herein was taken into custody in the aforesaid FIR on 21.09.2021. It is

submitted that the petitioner has been falsely implicated in the present case. It is contended that investigation is complete, as the challan stands presented and charges have been framed and conclusion of trial is likely to take sufficient time, as such, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner. However, he does not dispute the fact that investigation stands complete in the matter and charges stands framed.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 21.09.2021, investigation stands complete, as the challan stands presented and charges have been framed and that conclusion of trial is likely to take sufficient time, as such, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and *heavy* surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

January 28, 2022

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No