

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-44163-2022
Date of decision : 28.09.2022

Deepak

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Ms.Rupinder K. Thind, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR no.66 dated 12.04.2022 registered under Sections 307, 341, 323, 427, 506, 148, 149 IPC and 25, 27 of the Arms Act, 1959 at Police Station Tibba, District Ludhiana.

Learned counsel for the petitioner has submitted that the petitioner has been in custody since 11.04.2022 and the investigation is complete and the challan has already been presented and there are 20 witnesses and out of which, none have been examined and thus, the trial is likely to take time. It is further submitted that the petitioner is not involved in any other case and there are no specific allegations against the petitioner with respect to having caused any injury to any person.

Learned State counsel, on the other hand, has opposed the present petition for regular bail and has submitted that in the present case,

present petitioner has been specifically named in the FIR.

This Court has heard learned counsel for the parties and has perused the paper book.

The petitioner has been in custody since 11.04.2022 and the investigation is complete and the challan has already been presented and there are 20 witnesses and out of them, none have been examined and thus, the trial is likely to take time. The petitioner is stated to be not involved in any other case and there is no specific allegation against the petitioner with respect to having caused any injury to any person.

Keeping in view the above said facts and circumstances, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail / surety bonds to the satisfaction of the concerned trial Court/ Duty Magistrate and subject to him not being required in any other case.

However, it is made clear that in case, any act is done by the petitioner to threaten or influence the complainant or any of the witnesses, then it would be open to the State to move an application for cancellation of bail granted to the petitioner.

Nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

September 28, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No