

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

CRMM-43757-2022
Date of Decision:-**29.10.2022**

NEMI CHAND @ RAHUL

... Petitioner

Versus

STATE OF U.T. CHANDIGARH

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Rakesh Bhatia, Advocate
for the petitioner.

-.-

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.59 dated 9.6.2022 registered under Section 420, 511 IPC (Sections 467, 468, 471, 34 IPC added later on and Section 120-B IPC deleted during investigation) at Police Station West Sector-11, Chandigarh

The counsel for the petitioner submits that petitioner has been falsely implicated in the present case and is incarcerated since last more than 4 months and after investigation, the police has filed the challan and it will take considerable time for trial to conclude. So prayer is made to grant concession of regular bail.

On the asking of the Court, Ms. Sudha Singh, Advocate for Mr. Yashwant Singh Rathore, Addl. P.P. U.T. Chandigarh accepts notice on behalf of the respondent and on instructions from ASI Jaskaran Singh has not refuted the fact that after completion of investigation challan has been presented and that all the offences are triable by the Judicial Magistrate Ist Class.

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

Admittedly all the offences are to be tried by the Court of Judicial Magistrate Ist Class and the petitioner was arrested on 9.6.2022 and after completion of investigation police has presented the challan but charges are yet to be framed. Even after the commencement of the trial, it will take considerable time for its conclusion, so no fruitful is going to be served by keeping the accused behind the bars for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

In future if the petitioner is found involved in such like activity, the prosecution is at liberty to seek cancellation of bail.

(KARAMJIT SINGH)
JUDGE

29.10.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No