

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47022-2022

Date of decision : 18.11.2022

Rajesh Kumar

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Arun Gupta, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.0067, dated 01.06.2022, registered for the offences punishable under Sections 379-B and 34 of IPC (Sections 411 and 201 of IPC added later on), at Police Station Division C, District Amritsar.

2. Counsel for the petitioner submits that there is no cogent peace of evidence that links the petitioner to the present case. There are no criminal antecedents to the petitioner. Challan already stands presented and the investigation stands concluded. He submits that the petitioner is alleged to have been nominated on the basis of secret information and pursuant thereto recovery of mobile is alleged to have been effected from him.

3. Mr. Gupta does not dispute the factual assertions made by counsel for the petitioner based on record.

4. I have heard counsel for the parties and have gone through the records of the case.

5. Admittedly, the petitioner has been nominated on the basis of secret information and the source thereof has not been made disseminated. Petitioner has already suffered incarceration for more than 05 months and 17 days. There is no other case pending against him.

6. Consequently, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

18.11.2022

Dinesh

Whether speaking/reasoned Yes

Whether Reportable : No