

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-58370-2022
DECIDED ON: 20th DECEMBER, 2022

PARAMJIT SINGH @ PRINCE

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. I.S. Cooner, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C has been invoked for grant of regular bail in case FIR No. 137, dated 09.07.2022, under Section 379-B IPC (Section 411 IPC added later on), registered at Police Station Kotwali Patiala, District Patiala.

Learned counsel for the petitioner contends that it is a case of false implication. The assertion of the counsel for the petitioner is supported with the fact that the petitioner was already in custody after his arrest on 04.07.2022 in another FIR No. 132 with the same police station. He also refers to the vernacular attached with the present petition wherein, DDR was also registered in the present case on 19.07.2022 and therefore probability of the petitioner having committed the crime in the present case is highly doubtful.

Notice of motion.

Mr. Kunwarbir Singh, AAG, Punjab who is appearing on advance

notice accepts the notice on behalf of respondent-State and submits that the petitioner has committed the offence in the morning of 04.07.2022 therefore, he was rightly named in the present FIR.

Looking into the totality of the facts, the story of the prosecution is highly doubtful and there is strong probability of false implication of the petitioner in the light of the fact that the present FIR dated 29.07.2022 along-with the DDR of the even date despite the admitted fact that the petitioner was arrested on 04.07.2022 and remained in custody thereafter in FIR No. 132, which is also of the same police station in which the present FIR has been registered.

Keeping in view of the afore-said facts and submission made by the counsel for the petitioner, the petitioner is order to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

20th DECEMBER, 2022
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>