

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.213

CRM-M-2643-2023 (O&M)

Date of decision : 23.01.2023

Darshan Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Ms. Gurmeet Kaur, Advocate, for the petitioner.

Mr. G.S. Dhillon, AAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.154 dated 19.8.2022, registered at Police Station, Sadar Jagraon, District Ludhiana, under Sections 308, 328 IPC.

Learned counsel for the petitioner submits that the petitioner has been in custody in excess of 05 months. The trial is not likely to be concluded at an early date as charges have not yet been framed. There is no other similar case pending against the petitioner. The allegation against the petitioner is of having administered some poisonous/intoxicating substance to the son of the complainant and the evidence thereof is the petitioner himself shouting out the same while running away from the spot. A normal prudent person is not expected to indulge in such conduct and thus, the petitioner, may be granted regular bail.

Custody certificate dated 20.1.2023 checked by Kanwar Surteg Singh, PPS, Deputy Superintendent, Central Jail, Ludhiana, has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 05 months and 04 days and

there is one other criminal case under Section 295, 506 IPC pending against the petitioner in which he is on bail.

Learned State counsel concedes that the charges have not yet been framed and that as on date, the only evidence against the petitioner is as stated in the FIR.

Keeping in view the fact that the trial is not likely to be concluded at an early date and that there is no other criminal case of similar nature pending against the petitioner, I deem it appropriate to grant regular bail to him. The petition is allowed and it is directed that the petitioner be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

23.01.2023
Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes

No