

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 1855-2023 (O&M)

Date of Decision: 18.01.2023

Gagandeep Singh

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

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

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 78 dated 01.05.2022, under Sections 323, 341, 506, 189, 149 and later on added Sections 379-B, 326, 324 of IPC registered at Police Station Kotwali, Patiala.

Learned counsel for the petitioner contends that the petitioner is in custody since 12.10.2022. He submits that the offence under Sections 379-B, 326, 324 IPC have been added subsequently in the present case on the basis of enquiry conducted by the DSP, after almost three months of the registration of the FIR. He further submits that the challan has been presented on 19.12.2022 and the co-accused Money has also been granted concession of bail by this Court on 13.01.2023 in CRM-M-431-2023 and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Even though learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature but does not dispute the fact that challan stands presented though the charges are yet to be framed.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 12.10.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the co-accused has been granted bail and the challan stands presented and trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

18.01.2023
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Whether speaking/reasoned	Yes
Whether Reportable	Yes /No