

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

223

CRM-M-3249-2023
Date of decision: 25.01.2023

BIKRAMJIT SINGH @ SAURAV

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Harinder Singh Aujla, Advocate
for the petitioner.

Mr. Kamalpreet Bawa, AAG, Punjab.

AMAN CHAUDHARY. J.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No. 113 dated 13.09.2022 under Sections 307, 148, 149 IPC and Section 25 and 27 of the Arms Act, 1959 registered at Police Station Mohkampura, District Amritsar.

Learned counsel for the petitioner contends that the petitioner has been named as Saurav in the FIR, however, no injury has been attributed to him and only stated to have been armed with *dattar*. He has been in custody since 02.11.2022, challan has been presented in this case and charges are yet to be framed. The complainant has sworn an affidavit dated 14.12.2022 (Annexure P-2) as per which it is stated that he has come to know from reliable sources that real name of Saurav is Bikramjit Singh and his residence is also different and that he is sure that Bikramjit @ Saurav was not present in the said incident and is innocent.

Learned State counsel opposes the bail on the ground that he was part

of unlawful assembly and that the petitioner is also involved in another FIR.

Heard.

In view of the facts and circumstances of the case, in particular that the petitioner has been in custody since 02.11.2022, the challan has already been presented but the charges are yet to be framed, the trial is likely to take a considerable time, his further detention behind bars would not serve any useful purpose, thus the present petition for grant of regular bail deserves to be allowed.

As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to him not being required in any other case. The petitioner shall abide by the following conditions:-

1. The petitioner will not tamper with the evidence during the trial.
2. The petitioner will not pressurize/ intimidate the prosecution witnesses.
3. The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
4. The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
5. The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
6. The petitioner shall not in any manner misuse his liberty.
7. The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
8. The petitioner shall deposit his passport, if any, with the Trial Court forthwith and in case, he does not have the passport, he shall furnish a specific affidavit in this regard.

It is made clear that in case of any infraction of any of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to

the petitioner by this order.

In view of the above, this Court makes it clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

January 25, 2023
Mehak

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>