

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

213

CRM-M-5359 of 2023
DATE OF DECISION:-07.02.2023

Deepak @ Deepa

...Petitioner

vs.

State of U. T. Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Majot Gujral, Advocate for the petitioner.

Mr. Anupam Bansal, Addl. P.P., for U. T. Chandigarh.

HARKESH MANUJA, J.

By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, petitioner prays for grant of regular bail pending trial in case FIR No.145 dated 13.11.2022 under Sections 379-A, 341, 34, 411 of IPC, registered at Police Station Sector-26, Chandigarh.

Learned counsel for the petitioner submits that the petitioner is a young boy of 24 years of age and is an auto rickshaw driver and was not even apprehended at the spot. Learned counsel further submits that the petitioner is in custody since 13.11.2022, the investigation already stands concluded, *challan* stands filed, besides it, case already stands committed to the court of Sessions and thus, prays for concession of regular bail.

On the other hand, prayer made in the present petition has been vehemently opposed at the instance of learned State counsel who submits that the purse and Aadhar Card of the complainant were recovered from the petitioner.

I have heard learned counsel for the parties and gone through the

paper book. I find substance in the submissions made on behalf of the petitioner.

In the present case, petitioner happens to be a young boy of 24 years of age and is working as auto rickshaw driver and thus needs to be given a chance to reform himself for his better future in life. As such, considering the fact that investigation already stands concluded, *challan* filed and the trial likely to take some time, no useful purpose is going to be served by extending the incarceration of the petitioner.

In view of the above, without commenting anything on the merits, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

However, nothing expressed hereinabove shall be construed as an expression on the merits of the case.

07.02.2023.
anil

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No