

216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4935-2023

DECIDED ON: 6th FEBRUARY, 2023

SANJEEV @ SANJEEV DESHIWAL

.....PETITIONER

VERSUS

STATE OF UT CHANDIGARH

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Rajnikant Upadhyay, Advocate
for the petitioner.

SANDEEP MOUDGIL, J. (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 57, dated 01.09.2022, under Sections 420 and 120-B IPC (Sections 407 and 411 IPC added later on and Section 409 was deleted) registered at Police Station Sector 19, Chandigarh.

Learned counsel for the petitioner has contended that the petitioner was merely driving the vehicle on the instructions of complainant-Ashok Desai and has been falsely implicated in the present case by the complainant by concocting a false story just to save his own skin. The assertion is that the petitioner was not aware of the fact that what was being transported in the said vehicle. In fact he was an employee of the complainant.

Notice of motion.

On the asking of Court, Ms. Vasundhara Dalal Anand, APP, UT

Chandigarh accepts notice on behalf of respondent-State, who has produced the custody certificate of the petitioner today in Court, which is taken on record. According to which, the petitioner is behind bars for the last 5 months.

Ms. Vasundhara Dalal Anand, APP, UT Chandigarh, on instructions submits that out of total seven witnesses only one has been examined so far.

In view of afore-said facts and circumstances and the facts that challan stands presented; the conclusion of trial will take sufficient time and the petitioner was merely driving the vehicle, this Court is of considered view that no fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

The petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

6th FEBRUARY, 2023

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(SANDEEP MOUDGIL)
JUDGE

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