

CRM-M-8600-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(221)

CRM-M-8600-2023.
Date of Decision:-10.04.2023.

Azam

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Abdul Aziz, Advocate for the petitioner.

Mr. Arun Gupta, AAG, Punjab, assisted by
SI, Nirbhai Singh.

ALOK JAIN, J. (Oral)

The present petition is for grant of regular bail to the petitioner in case FIR bearing No.180 dated 08.12.2022, under Sections 307, 354, 341, 323, 506, 148 and 149 of IPC, and offence under Sections 354-D and 452 of IPC added later on, registered at Police Station City II, Malerkotla, District Malerkotla.

Custody certificate filed by the learned State counsel is taken on record.

Learned counsel for the petitioner submits that the petitioner was never named in the FIR and has been entangled in the present litigation being known to the main accused, Ali. He further submits that the petitioner is in custody since 10.12.2022.

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Learned State counsel has opposed the petition and submits that challan has been presented in this case.

However, at this stage, learned counsel for the petitioner submits that, in fact, the matter between the parties has been resolved.

After hearing learned counsel for parties, I am of the view that the petitioner is a young boy of 18 years and there is no direct allegation against him, therefore, the petitioner is entitled to the concession of regular bail.

The petitioner is in custody since **10.12.2022**. Trial is likely to take long time. Therefore, no useful purpose would be served by keeping the petitioner in custody.

In view of the above, without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. He shall, however, be released on the following conditions:

1. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
2. He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
3. He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
4. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

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The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

(ALOK JAIN)
JUDGE

April 10, 2023.
Sandeep

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No