

CRM-M-11310-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11310-2023 (O&M)
Date of Decision: 26.05.2023

Bikram Singh alias Bikramjit Singh alias Vicky alias Prince

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: **HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr.Lalit Singla, Advocate and
Mr.Shivam Garg, Advocate
for the petitioner.

Mr. Digvijay Nagpal, AAG, Punjab.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 126 dated 14.07.2022, under Sections 323, 341, 379-B 34 IPC (Sections 411, 201, 325 IPC added later on) registered at Police Station Pasyana District Patiala.

Learned counsel for the petitioner contends that the petitioner is in custody since 30.07.2022. He submits that the petitioner has been falsely implicated in the present case as neither he has been named in the FIR nor any specific role has been attributed to him but as per the

prosecution version, the petitioner was driving the motor cycle used in the alleged occurrence. It has been argued that the co-accused Gurdit Singh alias Guri alias Jimmi has been granted concession of bail by the trial Court vide order dated 05.04.2023 and other co-accused Gurjinder Singh alias Guni have also been granted regular bail by the trial Court vide order dated 20.04.2023. He further contends that the recovery of motor cycle has been effected and the challan stands presented and the charges have been framed and there is no other case pending against the petitioner and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Reply has been filed by the respondent-State, which is taken on record. 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, however, he does not dispute the fact that challan stands presented and the charges have been framed and out of total 17 prosecution witnesses, none has been examined till date.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 30.07.2022.

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 challan stands presented and the charges have been framed and there are no antecedents and none out of 17 prosecution witnesses has been examined till date and the 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

26.05.2023.

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