

CRM-M 14908 of 2023

2023:PHHC:054194
#1#

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

227

CRM-M 14908 of 2023
Date of Decision: 17.04.2023

Vishu Kainth

.....*Petitioner*

Versus

State of Punjab

.....*Respondent*

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Lakshay Bector, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

GURBIR SINGH, J (ORAL)

The petitioner has filed the present petition praying for grant of regular bail in case FIR No.132 dated 07.09.2022, under Sections 307, 336, 160 and 120-B IPC and Sections 379, 411 IPC and Sections 25, 54, 59 of Arms Act were added later on, registered at Police Station Division No.3, District Ludhiana.

As per version of the prosecution, the present case has been registered on the basis of secret information. On 07.09.2022, at about 1.00 a.m. a fight between two rival groups had taken place and the members of both the groups were armed with deadly weapons and attacked each other. Based on that quarrel, the present FIR was registered against the petitioner and other co-accused.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case. He is involved in five other cases except the present one. He further submits that the petitioner was not present at the spot as he was confined in Central Jail, Ludhiana. The co-

accused has already been granted the concession of regular bail by this Court.

On the other hand, the prayer is opposed by learned State counsel. Though, the learned State counsel points out that the petitioner is involved five other cases except the present one but fairly admits that he was lodged in Central Jail, Ludhina at the time of registration of FIR.

Heard.

In view of the above, without commenting anything on the merits of the case and taking into account the submission made by learned State counsel about presence of the accused at the time of occurrence beside the fact that the trial is not likely to be concluded in near future, in my opinion, no useful purpose would be served by detaining the petitioner behind bars any further. The petition, as such, is *allowed*. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Duty Judge, concerned.

If any attempt whatsoever is made by the petitioner to contact/threaten/intimidate any member of the complainant's family (also the family of the petitioner), the complainant/State shall be at liberty to move an application for cancellation of bail granted vide this order.

April 17, 2023
jyoti3

(GURBIR SINGH)
JUDGE

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