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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Date of decision: 24.04.2023

VISHAL KALYAN @ SHALU

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Veneet Sharma, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG Punjab.

DEEPAK MANCHANDA, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.0007 dated 07.01.2023 under Sections 454, 380, 411 and 34 of IPC, registered at Police Station Sadar Amritsar, District Amritsar, who is alleged to have stolen gold articles along with ₹ 4 lakh.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and is in custody since 07.01.2023. He submits that the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail. He further submits that the petitioner is not involved in any other case and the co-accused namely Jatinder Singh @ Pari has already been granted the concession of regular bail by the trial Court vide order dated 09.02.2023 (Annexure P-2).

On the other hand, learned State counsel assisted by Investigating Officer has opposed the aforesaid prayer on the ground that

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allegations levelled against the petitioner are serious in nature. However, he has not disputed the fact that challan has been presented but charges are yet to be framed. Learned State counsel further submits that the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 07.01.2023.

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 investigation has already been completed, challan stands presented but charges are yet to be framed and the other co-accused who has already been granted bail by the trial Court vide order dated 09.02.2023 where the petitioner claims parity and keeping in view 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.

April 24, 2023*nisha-II***(DEEPAK MANCHANDA)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No