

CRM-M- 20067-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 20067-2023 (O&M)

Date of Decision: 28.04.2023

Manishwer Singh alias Munish

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Vishva Bahl, Advocate
for the petitioner.

Mr. Madhur Sharma, AAG, Punjab

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 342 dated 07.10.2022, under Sections 379-B and 34 IPC registered at Police Station Maqboolpura, Amritsar.

Learned counsel for the petitioner contends that the petitioner is in custody since 10.10.2022. He submits that the petitioner has been falsely implicated in the present case. He further contends that the co-accused Ajay Singh alias Gugu has already been allowed regular bail by this Court vide order dated 25.01.2023 in CRM-M-3261-2023 (Annexure P-3) and submits that the challan stands presented and the charges have been framed and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Custody certificate 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 petitioner is a habitual offender as he is involved in one more case and 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 he is on bail in the said case.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 10.10.2022.

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 co-accused has already been allowed bail and the challan stands presented and the charges have been framed 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

28.04.2023
seema

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