

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

217+219

CRM-M-20250-2023 (O&M)

Date of decision: 22.05.2023

Satvir Singh @ Sattu @ Chitta

....Petitioner

Versus

State of Punjab

...Respondent

CRM-M-24989-2023

Maanveer Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Anil Kumar Garg, Advocate
for the petitioner in CRM-M-20250-2023

Mr. S.S. Gill and Mr. Keshav Pratap Singh, Advocates
for the petitioner in CRM-M-24989-2023

Mr. M.S. Nagra, AAG Punjab

AMAN CHAUDHARY. J.

1. This common order shall dispose of the above-mentioned two criminal miscellaneous petitions as they arise out of the same FIR.
2. The present petitions have been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioners in case FIR No.61 dated 23.02.2023, registered under Sections 323, 326, 452, 506, 148, 149 IPC, at Police Station City Kharar, District SAS Nagar Mohali.
3. Learned counsel contend that petitioners are in custody for the last 3 months. Though they are named in the FIR, however, no overt act has been

attributed to them. Injury has been attributed to one Yogesh on the hand of complainant, Shivam Kumar. Petitioners as well as complainant are students of the same Polytechnic College at Kharar. They are not involved in any other case. Challan stands presented on 19.05.2023 and charges have not been framed. In all there are 16 prosecution witnesses.

4. Learned State counsel opposes the bail on the ground that petitioners have actively participated in the crime and their names are specifically mentioned in the FIR. He is however unable to controvert the submissions regarding custody, stage of case and petitioners being not involved in any other case.

5. Heard.

6. In view of the facts and circumstances of the case, in particular that the petitioners are in custody for the last 3 months; they are not involved in any other case; challan was presented on 19.05.2023, however, charges are yet to be framed; in all there are 16 prosecution witnesses; the trial is likely to take a considerable time, their further incarceration would not serve any useful purpose, thus the present petitions for grant of regular bail deserves to be allowed.

7. As a result, the present petitions are allowed. The petitioners are ordered to be released on regular bail, subject to their furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to they not being required in any other case. The petitioners shall abide by the following conditions:-

1. The petitioners will not tamper with the evidence during the trial.
2. The petitioners will not pressurize/ intimidate the prosecution witnesses.
3. The petitioners will appear before the trial Court on each and every date fixed, unless are exempted by a specific order of Court.
4. The petitioners shall not commit an offence similar to the offence

of which, they are accused, or for commission of which they are suspected of.

5. The petitioners shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.

6. The petitioners shall not in any manner misuse their liberty.

7. The petitioners shall furnish their address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioners seek to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.

8. The petitioner shall deposit their passport, if any, with the Trial Court forthwith and in case, they do not have the passport, they shall furnish a specific affidavit in this regard.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioners by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

10 A photocopy of this order be placed on the file of connected case.

(AMAN CHAUDHARY)
JUDGE

22.05.2023
S.Sharma(syr)

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No