

2023:PHHC:090938

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

CRM-M-30524-2023

Date of decision : 19.07.2023

Harwant Singh @ Harry

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

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

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.132 dated 23.09.2020, registered for offences punishable under Sections 379-B (Sections 120-B, 341 and 201 of IPC added later on) at Police Station Jhander, District Amritsar.

2. Counsel for the petitioner submits that the petitioner has been nominated on the basis of extra judicial confession alleged to have been made by him after having been arrested in another FIR, i.e. FIR No.152 dated 02.11.2020, registered for the offences punishable under Sections 302 and 34 of IPC and Sections 25, 54 and 59 of Arms Act at Police Station Jhander, District Amritsar.

3. Counsel for the petitioner further submits that apart from the said extra judicial confession alleged to have been made by the petitioner, there is no incriminating evidence against him. Investigation

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already stands concluded, the trial has progressed considerably and all material witnesses including the complainant stand examined.

4. Counsel for the State is not in a position to dispute the factual assertions made by counsel for the petitioner on the basis of record. However, he submits that keeping in view the criminal antecedents of the petitioner, he does not deserve concession of regular bail.

5. After hearing counsel for the parties, without commenting on the merits of the case and keeping in view the incarceration already suffered by the petitioner which is more than 02 years, 08 months and 09 days, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

19.07.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No