

2023:PHHC:110162

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

208

CRM-M No.30737 of 2023
Date of Decision: 23.08.2023

Narinder Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: ***HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA***

Present:- Mr. Narinder S. Lucky, Advocate
for the petitioner.

MEENAKSHI I. MEHTA, J. (Oral)

The petitioner herein has sought the relief of regular bail in the criminal case arisen out of the FIR bearing No.43 dated 29.04.2019 registered at Police Station Sadar Phagwara, District Kapurthala, under Sections 323 and 354-B IPC, with the allegations that he caused injuries to the complainant and tore her clothes and pushed her and her daughter-in-law.

2. Mr. Gurlal Singh Dhillon, learned Assistant Advocate General, Punjab, has appeared in this case in pursuance of the notice of the instant petition having been sent to the respondent-State in advance and has submitted the Custody-certificate of the petitioner in the Court and the same is taken on the record.

3. I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file carefully.

4. Learned counsel for the petitioner contends that initially, the petitioner had been extended the concession of pre-arrest/anticipatory bail

vide the order dated 07.07.2020 but due to the death of his mother and the medical condition of his father and brother, he could not appear in the trial Court on 10.03.2022 and was, finally, declared a proclaimed person on 16.12.2022 and now, he is behind the bars since 11.04.2023 and the Challan has already been presented and the Charges have also been framed in the criminal case under reference and in these circumstances, the petitioner deserves the relief as prayed for in the instant petition.

5. Learned State counsel does not dispute the afore-referred factual position qua the grant of pre-arrest bail to the petitioner, the dates of his absence in the Court and of his being declared the proclaimed person and the period of his incarceration.

6. Keeping in view the above-discussed undisputed facts and circumstances as well as the facts that the trial of the case is likely to take sufficient time to conclude and no useful purpose would be served by detaining the petitioner in judicial custody any more and without commenting or expressing any opinion on the merits of the case, the petitioner named Narinder Kumar is hereby ordered to be released on regular bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. The petition in hand stands allowed accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

23.08.2023
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<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>