

2023:PHHC:122014

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-32438-2023

Date of Decision:15.09.2023

Hardev Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present:- Mr. Jagjit Singh, Advocate for the petitioner.

Mr. Kamalpreet Bawa, AAG, Punjab.

ALOK JAIN J.(Oral)

1. Prayer is for grant of regular bail to the petitioner in case FIR No. 39 dated 22.02.2022 under Sections 304-B, 498-A and 34 IPC registered at Police Station Rama Mandi, District Jalandhar, Punjab.
2. In compliance of the order dated 18.08.2023, passed by this Court, learned State counsel has filed a short reply by way of an affidavit of Sh. Nirmal Singh, PPS, Assistant Commissioner of Police, Central Jalandhar on behalf of respondent-State, is taken on record, in which it is mentioned that out of 20 prosecution witnesses, 11 witnesses have been examined.
3. Learned counsel for the petitioner submits that all the material witnesses have been examined and the remaining witnesses are officials.
4. Today custody certificate of petitioner has been filed by learned

State counsel which demonstrate that the petitioner is in custody for the last almost 01 years, 06 months and 23 days.

5. In view of the above and considering the fact that all the material witnesses have been examined and the remaining witnesses are officials as also the trial is likely to take long time, no useful purpose would be served by keeping the petitioner in custody.

6. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

- 1.The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- 2.He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- 3.He will mark his presence before the SHO concerned, after every 30 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- 4.He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

7. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

(ALOK JAIN)
JUDGE

15.09.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No