

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-39344-2022 (O&M)

Date of Decision: 12.01.2023

*Prabhjeet Singh alias Babba*

*... Petitioner*

V/s.

*State of Punjab*

*... Respondent*

**CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Shubham Goyal, Advocate  
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

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**DEEPAK MANCHANDA, J.(Oral)**

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 124 dated 15.11.2019, under Sections 379, 379-B, 411, 401, 120-B, 34 of IPC registered at Police Station Lambran, District Jalandhar Rural.

Learned counsel for the petitioner contends that the petitioner is in custody since 15.11.2019. He submits that the petitioner has been falsely implicated in the present case as no recovery has been effected from him. He further submits that the challan stands presented in the present case and the charges have been framed and only 03 witnesses out of total 29 witnesses have been examined till date and that the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Custody certificate filed by the respondent-State is taken on record.

Per contra, 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 and the offence alleged against the petitioner is serious in nature but does not dispute the fact that the challan stands presented on 04.01.2020 and the charges were framed as far back as on 18.02.2021.

I have heard learned counsel for the parties.

As per custody certificate, the petitioner is in incarceration since 19.11.2019.

It is not a case made out by the respondent-State that concession of bail if granted to the petitioner would hamper the course of free and fair trial. Further, since the challan stands presented and out of total 29 witnesses only 03 have been examined till date 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

12.01.2023

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|---------------------------|---------|
| Whether speaking/reasoned | Yes     |
| Whether Reportable        | Yes /No |