

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

CRM-M-38854-2023
Date of decision : 21.12.2023

DALBIR SINGH ALIAS PAKHANAPetitioner

Versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Sidhant Vermani, Advocate for the petitioner.

Mr. Jaswinder S. Arora, DAG, Punjab with ASI Dilbag Singh.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.134 dated 06.04.2023 registered for the offences punishable under Sections 379-B/34/201 of IPC, at Police Station Islamabad, Amritsar.

2. Custody Certificate of the petitioner has been produced. The same is taken on record.

3. Counsel for the petitioner submits that the petitioner was not named in the FIR but has been nominated on the basis of confessional statement alleged to have been suffered by him after he was arrested in another FIR No.129 of 2023 registered for offence punishable under Section 379-B IPC, Police Station Islamabad, Amritsar. Challan already stands presented. Investigation stands concluded. Petitioner is behind bars for more than 8 months 13 days.

4. State Counsel is not in position to dispute the aforesaid factual assertions made by counsel for the petitioner which are based on record.

5. I have heard counsel for the parties and have gone through records of the case.

6. Without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner and the fact that the investigation already stands concluded and Challan stands presented, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

7. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

December 21, 2023
Dpr

(Pankaj Jain)
Judge