

CRM-M-43832-2023

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214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43832-2023
Date of Decision: 12.09.2023

Balister @ Bana

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Abhishek Singla, Advocate and
Ms. Tanya Sehgal, Advocate,
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab,
for the respondent.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.17 dated 01.03.2019, registered under Section 365 of the Indian Penal Code, 1860, (Challan was presented under Section 364, 364-A, 120-B and 201 of the IPC) at Police Station Shambhu, District Patiala.

It is submitted by the learned counsel for the petitioner that the case against the petitioner is totally concocted. Otherwise also, the petitioner is in custody since 05.03.2019. There are 31 witnesses and only two witnesses have been examined so far. Even the co-accused of the petitioner has been released on bail. Therefore, the petitioner deserves to be released on bail pending trial.

On the other hand, learned State counsel, being instructed by

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ASI Gurvinder Singh, has submitted that the petitioner is directly involved in the case. However, it is not disputed that the petitioner is in custody since 05.03.2019 and only two witnesses have been examined in the case so far. It is also not disputed that the co-accused of the petitioner has been granted bail.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

12.09.2023
adhikari

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No