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

CRM-M-45677-2022

Decided on:-18.01.2023

Rajinder Singh @ Rajinder Singh Gill

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Siddharth Gupta, Advocate,
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.
for the respondent-State.

HARKESH MANUJA J. (Oral)

By way of present petition, the petitioner prays for grant of regular bail during pendency of trial in case FIR No.0051 dated 14.05.2022 under Sections 323, 341, 392, 506 IPC (challan submitted under Sections 323, 341, 365, 342, 395, 506, 411 and 120-B IPC), registered at Police Station Sadar Sangrur, District Sangrur.

Learned counsel for the petitioner submits that the investigation of the present case already stands concluded, challan filed and charges have been framed. He further submits that the petitioner is behind the bars since 15.05.2022 i.e. for the last more than 8 months now and no recovery has been effected from him, so as to, connect him with the alleged occurrence, except for the recovery of scrap of a truck from the place of one, Simranjit Singh, on the basis of disclosure of present petitioner. He also submits that there is no other case pending against the petitioner.

On the other hand, the prayer made in the present petition has

been opposed by learned State counsel by submitting that serious allegations have been levelled against the petitioner and one of the main accused, namely, Simranjit Singh, is yet to be apprehended.

I have heard learned counsel for the parties and gone through the paper book.

Considering the facts that the petitioner is in custody for the last more than 08 months now and investigation already stands concluded, challan filed and charges have been framed; and the fact that none of the prosecution witnesses have been examined so far, there would be no justification for keeping the petitioner behind the bars by extending his incarceration. It may be pointed out here that on account of inefficiency on the part of Investigating Agency for not apprehending main accused, namely, Simranjit Singh, even after the expiry of almost 08 months of the registration of FIR, the petitioner cannot be made to suffer by keeping him behind the bars.

In view of the above, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner, namely, Rajinder Singh @ Rajinder Singh Gill is ordered to be released on bail, subject to his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

18.01.2023
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/ No