

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 46099-2022 (O&M)
Date of Decision: 11.01.2023

Baljit Singh alias Babbu

... Petitioner

V/s.

State of Punjab

... Respondent

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

Present : Mr. Kamal Narula, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 102 dated 29.04.2022, under Sections 379-B IPC (later on added Sections 392, 394, 411, 201 IPC) registered at Police Station Shahkot, District Jalandhar Rural.

Learned counsel for the petitioner contends that the petitioner is in custody since 03.05.2022. He submits that there is a delay of two days in registration of the FIR and that the petitioner has been nominated as an accused on the disclosure statement of a co-accused made on 03.05.2022. He further submits that the challan has been presented on 16.07.2022, however, no witness has been examined out of total 13 prosecution witnesses and that the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from ASI Lakhbir Singh, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature but does not dispute the fact that the challan stands presented, however, no prosecution witness has been examined till date.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 03.05.2022.

It is not a case made out by the respondent-State that the concession of bail if granted to the petitioner would hamper the course of free and fair trial. Further since the challan stands presented 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

11.01.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No