

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 47522-2022 (O&M)

Date of Decision: 31.01.2023

Kishan Chand alias Sajan

... Petitioner

V/s.

State of Punjab

... Respondent

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

Present : Mr. Karajveer Singh, Advocate for
Mr. Piyush Khanna, 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. 136 dated 12.06.2022, under Sections 379-B, 411 IPC registered at Police Station City, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner is in custody since 17.06.2022. He submits that the petitioner has been falsely implicated in the present case as he has not been named in the FIR but has been nominated as an accused on the basis of disclosure statement made by the co-accused Rohit Bhardwaj, who has been granted bail by this Court. He further submits that the challan stands presented and no other case is pending against him and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Custody certificate has been filed by the respondent-State, which is taken on record. Even though 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 offence alleged against the petitioner is serious in nature, however does not dispute the fact that challan stands presented and the co-accused has been allowed bail.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 17.06.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the challan stands presented and the co-accused has been allowed bail 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

31.01.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No