

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207 CRM-M-46911-2023 (O&M)
Date of decision: 22.09.2023

Gurwinder Singh @ Ginda ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Malkiat S. Hundal, Advocate for the petitioner.
Mr. Ravinder Singh, AAG, Punjab.

FIR No.	Dated	Section/s	Police Station
110	08.05.2023	379-B(2), 34 IPC (Section 411 IPC added later on)	Maqboolpura, Amritsar

VIKAS SURI, J.

[1] The petitioner has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in the above-captioned case.

[2] Learned counsel for the petitioner has contended that initially the present FIR was registered against unknown persons; the petitioner has been falsely implicated on the basis of disclosure statement suffered by co-accused Sunny; no recovery is to be effected from the petitioner; investigation is complete; *challan* stands presented; conclusion of trial would take time; petitioner is in custody since 30.05.2023 and no useful purpose would be served by further detaining

him for an indefinite period.

[3] Learned State counsel has filed the custody certificate dated 21.09.2023 of the petitioner, which is taken on record. A copy thereof furnished to learned counsel for the petitioner. Learned State counsel opposes the prayer made on behalf of the petitioner stating that petitioner being driver of the motorcycle has actively participated in the commission of crime and his release on bail may hamper trial, therefore, the present bail application deserves to be dismissed.

[4] I have heard learned counsel for the parties and considered the rival contentions.

[5] The factual position is not disputed. Investigation has been completed and *challan* stands already presented. However, the charges are yet to be framed.

[6] Keeping in view the above and the fact that prosecution has cited 16 witnesses in the Final Police Report, it can safely be inferred that conclusion of trial will take considerable time and no useful purpose would be served by further detaining the petitioner behind bars. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail during the pendency of trial, on furnishing bail-bond and surety to the satisfaction of the Area Magistrate/Trial Court/Duty Magistrate concerned.

[7] It is, however, made clear that the petitioner shall not influence the trial in any manner directly or indirectly and shall not leave the country without prior permission of the trial Court.

[8] The observations made herein-above shall not be construed
as an expression of opinion on the merits of the case.

September 22, 2023
sumit.k

(VIKAS SURI)
JUDGE

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