

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-53283-2022 (O&M)

Date of Decision: 03.02.2023

Amandeep Singh alias Ravi

... Petitioner

V/s.

State of Punjab

... Respondent

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

Present : Mr. Ritesh Bansal, 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. 157 dated 29.08.2022, under Sections 379-B and 411 (added on later) IPC registered at Police Station City Samana, District Patiala.

Learned counsel for the petitioner contends that the petitioner is in custody since 29.08.2022. He submits that the petitioner has been falsely implicated in the present case as the present FIR has been lodged after delay of one day and initially the petitioner was not named in the FIR. It is also submitted that no recovery has been effected from the petitioner herein as the alleged mobile phone was recovered from the co-accused Harvinder Singh and that no other case is pending against the petitioner. He further submits that the investigation is complete, challan stands presented 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 but does not dispute the fact that challan stands presented on 28.10.2022 though charges are yet to be framed.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 29.08.2022.

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 nothing is to be recovered from the petitioner, the challan stands presented, there is no other case pending against him and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind the bar.

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

03.02.2023

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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes /No</i>