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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.51031 of 2023

Date of decision:- 19.12.2023

AMAN WALTER @ BONNI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr.Monty Goyal, Advocate for
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJIV BERRY, J. (ORAL)

Custody certificate dated 18.12.2023 filed by the learned State
counsel, the same is taken on record, copy supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under
Section 439 of the Code of Criminal Procedure for grant of regular bail to
the petitioner in the following case (Annexure P-1) :-

FIR No.	Dated	Sections	Police Station
166	23.08.2023	3,4,5 of the Immoral Traffic Act	Division No.8, Ludhiana

3. It is *inter alia* contended by learned counsel for the petitioner
that the petitioner is innocent and has been falsely implicated in this case.

He submits that as per custody certificate dated 18.12.2023, one another case is pending against the petitioner in which he is on bail. He submits that co-accused Anita Walter has been granted concession of bail vide order dated 13.12.2023 passed by this Court in CRM-M-50765 of 2023. He submits that the petitioner is in custody since 23.08.2023, challan in the case has already been presented in Court, charges have been framed and out of 12 witnesses cited by the prosecution only 1 witness has been examined, as such he prayed for grant of concession of bail.

4. Per contra, learned State counsel has opposed the bail application by arguing that considering the nature and gravity of offence, he is not entitled for concession of bail. Learned State counsel has not controverted the fact that the petitioner is on bail in another case, co-accused Anita Walter has been granted concession of bail by this Court vide order dated 13.12.2023 passed in CRM-M-50765 of 2023, challan has already been presented, charges have been framed and out of 12 witnesses cited by the prosecution only 1 witness has been examined till date.

5. Considering the rival contentions and perusing the record, it is admitted that the petitioner is in custody since 23.08.2023. The challan in the case has already been presented in the Court, charges have been framed, co-accused Anita Walter has been granted concession of bail vide order dated 13.12.2023 passed by this Court in CRM-M-50765 of 2023 and the conclusion of trial will take sufficient long time to ascertain criminal liability, if any, of the petitioner and no useful purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, it is observed that no purpose would be served in keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

19.12.2023

Gyan	i)	Whether speaking/reasoned?	Yes/No
	ii)	Whether reportable?	Yes/No