

CRM-M-55214-2022 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
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CRM-M-55214-2022 (O&M)
Date of Decision:-05.05.2023

Sant Ram
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON’BLE MR. JUSTICE ALOK JAIN

Present: Mr. Ravi Malhotra, Advocate for the petitioner.

Mr. Pankaj Khullar, AAG, Punjab.

ALOK JAIN, J. (Oral)

CRM-11761-2023

The present application has been filed for place on record the statements of witnesses i.e. PW-1 and PW-2 as Annexure P-3 and P-4.

Application is allowed as prayed for, subject to all just exceptions. Annexures P-3 and P-4 are taken on record.

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The present petition has been filed for grant of regular bail to the petitioner in case FIR No. 299 dated 28.06.2022 under Section 306 of the Indian Penal Code (Sections 304-B and 120-B IPC added later on), registered at Police Station Sohana, District SAS Nagar Mohali.

2. Learned counsel for the petitioner submits that, in fact, the testimony of all the material witnesses is completed and rather the complainant as well as the brother of the deceased has specifically testified that the petitioner is innocent and has turned hostile. On the strength of the

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above, the petitioner prays for grant of regular bail.

3. Custody certificate dated 04.05.2023 of the petitioner has been filed by learned State counsel, which is taken on record.

4. Learned State counsel has vehemently opposed the bail, as there is a loss of human life and the petitioner is charge-sheeted under Section 304-B of IPC, however, he could not deny the fact that all the material witnesses have been examined and the trial is likely to take some time.

5. After hearing learned counsel for the parties, considering the fact that all the material witnesses have been examined, who have turned hostile and the fact that the trial is likely to take long time, no useful purpose would be served by keeping the petitioner in custody.

6. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

1. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
2. He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
3. He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
4. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

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7. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

8. It is made clear that this shall not be a ground to seek parity for considering this kind of relief to other co-accused especially to the husband.

05.05.2023
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(ALOK JAIN)
JUDGE

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