

216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56825-2022
DECIDED ON: 14st FEBRUARY, 2023

NIRMAL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Pankaj Garg, Advocate
for the petitioner.

SANDEEP MOUDGIL, J. (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 90, dated 17.09.2015, under Section 420 IPC, registered at Police Station Bareta, District Mansa.

Learned counsel for the petitioner has contended that during the course of trial PW-1 to PW-3 who are the prime witnesses in the present case have turned hostile. He further asserts that even otherwise the petitioner is falsely implicated in the present case wherein a petty amount of ₹40,000/- has been involved on account of snatching committed by the other co-accused.

Notice of motion.

On the asking of Court, Mr. Mohit Kapoor, Addl. AG, Punjab accepts notice on behalf of respondent-State, who has produced the custody certificate of the petitioner today in Court, which is taken on record. According

to which, the petitioner is behind bars for the last 8 months and 29 days and admittedly, he is not involved in any other case of any nature.

This Court, having gone through the custody certificate finds that the petitioner is behind bars for the last 8 months and 29 days and in the light of the fact, which has not been controverted by the learned State Counsel, that prime witnesses i.e. PW-1 to PW-3 have turned hostile and the fact that there is strong probability of the petitioner to be acquitted in the instant case, no fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

The petitioner is ordered to be released on regular bail subject to his furnishing personal and surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

However, it is made clear that the observations made hereinabove, shall have no bearings on the merits of the trial.

14st FEBRUARY, 2023
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(SANDEEP MOUDGIL)
JUDGE

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