

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212-2

CRM-M 56177 of 2022

Date of Decision: 05.01.2023

Suraj @ Moja

.....*Petitioner*

Versus

State of Punjab

.....*Respondent*

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Vishal Sharma, Advocate for the petitioner.
Mr. G.S. Shergill, AAG, Punjab.

GURBIR SINGH, J (ORAL)

The petitioner has filed the present petition praying for grant of regular bail in case FIR No.136 dated 01.09.2021, under Sections 307, 326, 324, 323, 148, 149 of IPC (offence under Section 326 IPC added later on vide General Diary No.27 dated 07.09.2021), registered at Police Station Division No.2, District Pathankot, Punjab.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case. Challan has already been presented. The petitioner is not involved in any other case and has clean antecedents. No recovery is to be effected from the petitioner and that co-accused, Ravi Kumar @ Romey and Ishal Choudhary @ Ishu @ Rishu have already been granted regular bail by the Co-ordinate Bench of this Court in CRM-M-5912-2022 and CRM-M-10029-2022 respectively.

Learned State counsel has vehemently opposed the application and has not disputed the fact of regular bail having been granted to the co-accused. After completion of investigation, the report under Section 173(2) Cr.P.C. has been presented before the competent Court.

Heard.

The petitioner is in custody since 14.09.2022.

In view of the above, without commenting anything on the merits of the case and taking into account the fact that the trial is not likely to be concluded in near future and the custody period, in my opinion, no useful purpose would be served by detaining the petitioner behind bars any further. The petition, as such, is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Illaqa Magistrate/Duty Magistrate concerned.

If any attempt whatsoever is made by the petitioner to contact/threaten/intimidate any member of the complainant's family (also the family of the petitioner), the complainant/State shall be at liberty to move an application for cancellation of bail granted vide this order.

(GURBIR SINGH)
JUDGE

January 05, 2023

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No