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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-56969-2022 (O&M)
Date of Decision: 10.04.2023

Harpreet Singh

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. C. S. Rana, 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. 94 dated 20.06.2022, under Sections 379-B(2), 511, 506, 34 and later on added Sections 411, 473 IPC and Section 25, 54, 59 of Arms Act registered at Police Station P.A.U, Ludhiana (City).

Learned counsel for the petitioner contends that the petitioner is in custody since 20.06.2022. He submits that the petitioner has been falsely implicated in the present case as he was neither apprehended on the spot nor has any connection with the present FIR and as per allegations

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petitioner pointed out gun towards the complainant but nothing was snatched and no injury has been inflicted upon the complainant. He further submits that the challan stands presented and the charges have been framed and out of total 17 prosecution witnesses, only 01 witness has been examined till date. Learned counsel for the petitioner also averred that though huge recovery is shown to be effected but it is not mentioned in the FIR and the conclusion of trial will take sufficient time, therefore, prayer is made for the petitioner to 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 ASI Joginder Pal, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature and 01 more case is pending against the petitioner, however he does not dispute the fact that challan stands presented and charges have been framed.

Confronted with the same, learned counsel for the petitioner submits that the petitioner has been granted bail in the above said case, mentioned in the custody certificate.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 20.06.2022.

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 the challan stands presented and the charges have been framed and the trial would take sufficient time, no useful

purpose would be served in keeping the petitioner behind bars

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 accordingly.

(DEEPAK MANCHANDA)
JUDGE

10.04.2023
seema

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