

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.234

CRM-M-59611-2022

Date of decision: 03.03.2023

Puneet

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. A.P.S. Tung, DAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.124 dated 25.10.2022 registered under Sections 379-B, 457, 380, 427 and 149 IPC at Police Station Division No.3, District Jalandhar.

Briefly stated, the case of the prosecution is that the complainant, who works at a liquor vend, was giving beatings by the petitioner and his co-accused as also that the petitioner and his co-accused stole his wallet and Aadhar Card.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case; the petitioner is a 26 year old man with no criminal antecedents; the petitioner is in custody since 26.10.2022; investigation in the case is complete; the CCTV footage relied upon by the prosecution clearly shows that it is not the petitioner who is involved in the crime he is accused of; the petitioner and the complainant have compromised the matter and that the petitioner's trial as and when it would begin, would take a long time to conclude.

Learned State counsel submits that though the complainant has informed the police that he has compromised the matter with the petitioner,

the petitioner be not granted bail as he and his co-accused had beaten up the complainant and also committed theft.

The effect of the compromise between the petitioner and the complainant would be debated during the course of the petitioner's trial. However, the petitioner has no other criminal antecedents; he is in custody since 26.10.2022; investigation in the case is complete and that as and when the petitioner's trial commences, the same is likely to take a long time to conclude.

Keeping in view the totality of the above facts, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Jalandhar, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

March 03, 2023
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No