

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.212

CRM-M-61061-2022 (O&M)

Date of decision : 10.02.2023

Mandeep Singh Chandi

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Veneet Sharma, Advocate, for the petitioner.

Mr. Harkanwarjit Singh, AAG, Punjab

Mr. J.S. Dadwal, Advocate, for the complainant.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.110 dated 10.07.2022, registered at Police Station Majitha, Amritsar Rural, District Amritsar, under Sections 306, 420, 468 & 201 IPC.

Learned counsel for the petitioner submits that the petitioner has been in custody in excess of 03 months. There is no other criminal case pending against him. The trial is not likely to be concluded at an early date as even, charges have not been framed as yet. Apart from that, the facts of this case do not reveal commission of an offence under Section 306 IPC and thus, the petitioner may be granted regular bail.

Custody certificate dated 09.02.2023 checked by Sh. Surinder Singh, Jail Superintendent, Central Jail, Amritsar has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 03 months and 09 days and there is one other criminal case pending against him in which production warrants have been

Based on the custody certificate, leaned State counsel submits that the argument raised by learned counsel for the petitioner that there is no other criminal case pending against the petitioner is false. He, however, concedes that charges have not yet been framed.

Learned counsel for the petitioner submits that the case in which production warrants have been issued is a case in which the petitioner is a witness. Production warrants have been issued for recording of his statement.

Learned counsel for the complainant submits that the actions of the petitioner led to the death of a young person. Thus, he does not deserve to be released on regular bail.

From the submissions made by learned counsel for the parties, it is evident that the trial of this case is not likely to be concluded at an early date. The petitioner has been in custody for 03 months and 09 days and there is no other criminal case pending against him. Whether, the actions of the petitioner amounted to abetment of suicide is a matter of trial.

In view of above, the petition is allowed. It is directed that the petitioner be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

10.02.2023.
Ramandeep Singh

Whether speaking / reasoned

Yes

Whether Reportable

No