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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No. 63699 of 2023

Decided on :- 22.12.2023

MANVEER SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Naveen Kumar Mehra, Advocate with
Mr. Prabhjot Singh Mann, Advocate
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under
Section 439 of the Code of Criminal Procedure for grant of regular bail to
the petitioner in the following case:-

FIR No.	Dated	Sections	Police Station
81	13.04.2023	379-B, 506 IPC	Samrala, District Ludhiana

2. It is *inter alia* contended by learned counsel for the petitioner
that the petitioner is innocent and has been falsely implicated in this case. He
submits that petitioner is in custody since 21.07.2023 and no recovery has
been effected from him. Challan has already been presented in Court, as
such he is not required for further investigation and prays for grant of
concession of bail to the petitioner.

3. Per contra, learned State counsel has opposed the bail

application by arguing that there is another case registered against the petitioner under Section 379-B, although he is on bail, but he is habitual offender, as such he is not entitled for concession of bail.

4. Considering the rival contentions and perusing the record, it transpires that after being nominated in the aforementioned FIR petitioner was arrested on 21.07.2023 and no recovery has been effected from him. After investigation, challan has been presented in Court and charges have already been framed by learned Trial Court wherein it is pointed out that out of 7 witnesses cited by the prosecution none of the witness has been examined till date. The conclusion of trial will take sufficient long time to ascertain criminal liability, if any, of the petitioner and no useful purpose would be served by detaining the petitioner any longer in custody.

5. Consequently, without commenting on the merits of the case, it is observed that no purpose would be served in keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

22.12.2023

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- i) Whether speaking/reasoned?
- ii) Whether reportable?

Yes/No

Yes/No