

CRM-M-2417-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

290

CRM-M-2417-2024
Date of Decision:-25.01.2024

Sukhchain Singh
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Baljinder Singh Sra, Advocate for the petitioner.
Mr. Hakam Singh, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed for grant of regular bail to the petitioner in case FIR No. 45 dated 04.05.2021 under Sections 379-B, 419, 420, 120-B of the Indian Penal Code, (Section 411 of IPC added later on), registered at Police Station Arniwala, District Fazilka (Annexure P-1).
2. Learned counsel for the petitioner has submitted that there are contradictory statements in the FIR itself and more so, the main accused Baldev Singh has already been granted the concession of bail by this Court.
3. Learned State counsel has vehemently opposed the grant of any concession to the petitioner on the ground that there are two more FIRs against the petitioner under the Excise Act, however, could not deny the fact that the petitioner has been granted the bail in those FIRs. He further submits that out of 29 witnesses, 04 witnesses have been examined to which learned counsel for the petitioner submits that all the material witnesses have been examined.
4. However, considering the fact that the petitioner is in custody since 30.04.2023 and the fact that the trial is likely to take long time,

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therefore, no useful purpose would be served by keeping the petitioner in custody, hence, the petitioner is entitled to grant the concession of regular bail.

5. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

- 1. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- 2. The petitioner will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- 3. The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- 4. The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

6. It is made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

7. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

(ALOK JAIN)
JUDGE

25.01.2024