

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

255

CRM-M-2692-2024
Date of Decision: 24.01.2024

HARDEEP SINGH ALIAS SOHNA ...Petitioner

V/S

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Harjot Singh Bedi, Advocate
for the petitioner.

Mr. Kamalpreet Bawa, AAG, Haryana.

ALOK JAIN J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.54 dated 29.09.2023, under Sections 379-B, 34 of Indian Penal Code, registered at Police Station Morinda, District Roopnagar (Annexure P-1).
2. Learned counsel for the petitioner submits that entire averments made in the FIR are forged and fabricated and the petitioner has been falsely implicated and was not named in the FIR which was registered against the unknown persons having covered faces.
3. Learned State counsel has filed the custody certificate which is taken on record and submits that the challan has been presented and the matter is fixed for 06.02.2024 for framing of charges. Counsel for the State, on instructions, further submits that there is no other FIR against the petitioner.
4. In light of the fact that the petitioner is in custody since 03 months and 21 days and the trial is likely to take time, therefore, no useful purpose would be served by keeping the petitioner in custody.
5. In view of the above, without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and 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. He 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. He 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. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.
6. The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.
7. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.
8. 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 the condition(s) of bail.

(ALOK JAIN)
JUDGE

24.01.2024

pry

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No