

CRM-M-6081-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(222)

CRM-M-6081-2024 (O&M)
Date of Decision:- 09.02.2024

Vicky @ Anna

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Rythem Bajaj, Advocate for the petitioner.

Mr. P.S. Grewal, DAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition is for grant of regular bail to the petitioner in case FIR No.62 dated 19.07.2021, under Sections 307, 324, 326, 323, 341, 506, 148 and 149 of the Indian Penal Code registered at Police Station City-2, Abohar, District Fazilka (Annexure P-1).
2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and the only role attributed to the petitioner is that he was holding a *danda* and was part of the unlawful assembly and no overt act has been attributed to him. He further submits that no recovery has been effected from the petitioner.
3. Notice of motion.
4. Mr. P.S. Grewal, DAG, Punjab, accepts notice on behalf of respondent-State and files the custody certificate of the petitioner in Court today, which is taken on record, according to which the petitioner is in

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custody for the last 07 months and 07 days.

5. In light of the above and considering the fact that the petitioner is in custody for more than 07 months and the fact that the trial is likely to take long time, therefore, no useful purpose would be served by keeping the petitioner in custody, hence, the petitioner is entitled to the grant of the concession of regular bail.

6. 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:

- i. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ii. 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.
- iii. 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.
- iv. 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.

7. 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

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appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

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

9. Pending application, if any, stands disposed of.

(ALOK JAIN)
JUDGE

February 09, 2024
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Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No