

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218

CRM-M No.9075 of 2024
Date of Decision: 07.03.2024

GAURAVPetitioner

Vs
STATE OF PUNJABRespondent

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Gaurav Datta, Advocate
for the petitioner.

Mr. Kewal Singh, Addl. A.G., Punjab.

Ms. Srishti Sharma, Advocate
for the complainant.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.100 dated 04.11.2023 registered under Sections 363, 366-A IPC (Section 305 IPC added later on and Sections 363 & 366-A IPC deleted) at Police Station Sadar Rupnagar, District Rupnagar.
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case only on the basis of assumptions of the complainant. Learned counsel also submits that the investigation already stands concluded with the filing of challan and the petitioner is already in custody for the last 04 months. While referring to the whatsapp chats appended with the present petition, learned counsel further submits that the petitioner never harassed or compelled the deceased.

3. The prayer made on behalf of the petitioner has been opposed by learned State counsel duly assisted by learned counsel for the complainant while referring to the custody period of the petitioner.
4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.
5. In the present case, the investigation already stands concluded with the filing of challan; petitioner is in custody for the last 04 months and the whats app chats appended along with the present petition as Annexure P-2 do not reflect that the petitioner ever induced, compelled or created any circumstance for the deceased to take extreme step. The trial is likely to take some time in its culmination and the petitioner is not involved in any other case.
6. In view of above, I do not find any justification to extend the incarceration of the petitioner.
7. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.
8. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

March 07, 2024
Atik

(HARKESH MANUJA)
JUDGE

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