

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-9641-2024

Date of decision : 28.02.2024

RAJUPAL ALIAS RAJU

....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Manu Loona, Advocate for the petitioner.

Mr. J.S. Arora, DAG, Punjab with HC Manjit Singh.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.202 dated 01.12.2023 registered for the offences punishable under Sections 379-B/323, 411, 473, 379, 34 IPC (later on Sections 411 and 34 IPC were added vide DDR No.38 dated 01.12.2023, Section 379 IPC was added vide DDR No.24 dated 03.12.2023 and Section 473 IPC was added vide Rapat No.16 dated 20.01.2024) at Police Station City Fazilka, District Fazilka.

2. Custody Certificate of the petitioner has been filed today in Court. The same is taken on record.

3. FIR was registered against unknown persons. However, the complainant later on stated that at his own level he has conducted the inquiry and named the present petitioner among the accused. Petitioner is behind bars for more than 2 months and 25 days and has clean antecedents.

Challan already stands presented and thus there can't be any apprehension that the petitioner shall tamper with the evidence.

4. State Counsel is not in posititon to dispute the factual assertions made by counsel for the petitioner based on record.
5. I have heard counsel for the parties and have gone through records of the case.
6. Without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner and the fact that the investigation already stands concluded and Challan stands presented, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.
7. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

February 28, 2024		(Pankaj Jain)
Dpr		Judge
	Whether speaking/reasoned	: Yes/No
	Whether reportable	: Yes/No