

231 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11754-2024

Decided on:-12.03.2024

Vishal Madaan @ Vishu @ Sunny and anotherPetitioners..

vs.

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vivek Salathia, Advocate for the petitioners.

Mr. Kewal Singh, Addl.AG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case FIR No.162 dated 07.11.2022, under Sections 436 and 427 IPC, registered at Police Station Majitha Road, Amritsar, District Police Commissionerate Amritsar.

2. In the present case, the petitioners have been implicated for being part of mob which damaged the Swift car besides putting one shop named 'Race, The Fire of Fashion' on fire.

3. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the petitioners were implicated on the basis of CCTV footage, forming part of the mob which actively participated in the incident of damaging the Swift car besides putting one shop on fire.

4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the

petitioners.

5. In the present case the petitioners have already suffered incarceration for a period of over month and a similarly placed co-accused, namely, Rajinder Sehdev @ Monu Sehdev, has already been granted the concession of regular bail by this Court vide order dated 04.12.2023 passed in CRM-M-59827-2023.

6. Considering the fact that similarly placed co-accused has already been granted the concession of regular bail and taking note of the custody period and also the fact that trial is likely to take some time, I do not find any reason to extend the incarceration of the petitioners any further.

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioners are ordered to be released on regular bail on their furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Illaq Magistrate.

8. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

12.03.2024
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(HARKESH MANUJA)
JUDGE

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