



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

260

CRM-M No.17684 of 2024
Date of Decision : 25.07.2024

Ravinder SinghPetitioner

VERSUS

State of PunjabRespondents

CORAM : HON’BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Lupil Gupta, Advocate for the petitioner.
Mr. Rajiv K. Takkar, DAG Punjab.

ALKA SARIN, J. (Oral)

1. This is the second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.85 dated 12.09.2021 under Sections 304-B and 34 of the Indian Penal Code, 1860 registered at Police Station Sarai Amanat Khan, District Tarn Taran. The first petition being CRM-M-18086-2023 was dismissed as withdrawn vide order dated 10.10.2023.
2. Learned counsel for the petitioner would contend that the petitioner has been in custody for a period of 02 years 10 months and 09 days. Learned counsel for the petitioner would further contend that there are total of 29 prosecution witnesses and out of them only 11 including all the material witnesses have since been examined. Learned counsel for the petitioner has further contended that the co-accused, namely, Chainchal Singh, the father of the petitioner, has since been granted regular bail by this Court vide order dated 22.03.2023 passed in CRM-M-20411-2022.

3. Custody certificate dated 24.07.2024 filed by learned State counsel is taken on record as per which the petitioner has already been in custody for a period of 02 years 10 months and 09 days and no other case is pending against him. Learned State counsel is not in a position to deny the fact that out of total 29 prosecution witnesses only 11 including all the material witnesses stand examined.

4. In view of the above and without commenting upon the merits of the case and keeping in view the custody period of the petitioner, I deem it to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Additional Sessions Judge (Duty) concerned.

5. However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

6. It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

7. Disposed off. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

25.07.2024
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO