

2024:PHHC:013768

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

CRM-M No.23029 of 2023 (O&M)

Date of decision : 01.02.2024

Hari Krishan

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. S.K.Arya, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

1 This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case F.I.R. No.51 dated 20.07.2019 registered under Sections 379-A/34 IPC and Sections 379-B/323/473/411 IPC added later on at Police Station Shahpur Kandi, District Pathankot.

2 The petitioner in the present case was nominated on the basis of disclosure made by co-accused Deepak Kumar @ Rinku.

3 Custody certificate has been filed. The same is taken on record.

4 Learned counsel for the petitioner submits that the petitioner is in custody since 01.03.2023 and by now the petitioner has undergone more than 11 months & 5 days and has no past criminal antecedents. He further submits that the challan already stands presented and thus there cannot be any apprehension that the petitioner shall tamper with the evidence.

5 Learned State counsel on instructions from Investigating Officer is not in a position to dispute the aforementioned factual assertions based on record.

6 I have heard learned counsel for the parties and have gone through the records of the case.

7 Without commenting on the merits of the case and considering the incarceration suffered by the petitioner, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

8 Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

01.02.2024
Pooja sharma-I

Whether speaking/reasoned	Yes
Whether Reportable :	No