



CRM-M-28236-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-28236-2024

Decided on : 03.07.2024

Sonu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present : Mr. Jasinder S. Sekhon, Advocate and
Mr. Didar Singh, Advocate
for the petitioner

Mr. Vinay Kumar, DAG, Punjab.

KIRTI SINGH, J. (Oral)

1. This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 82 dated 22.10.2022, under Sections 458, 394 and 34 of the Indian Penal Code, 1860 (Sections 397, 307, 324, 411, 120-B of IPC and Section 25 of the Arms Act, 1959 added later on) registered at Police Station Chamkaur Sahib, District Rupnagar.

2. Learned counsel for the petitioner has submitted that the FIR has been lodged against unknown persons and the petitioner has been falsely entangled in the present FIR. Learned counsel for the petitioner has further submitted that the petitioner is in custody for the last more than 01 year, 08 months and 05 days.

3. Custody certificate of the petitioner has been filed by learned State counsel in Court today, which is taken on record, according to which the petitioner is in custody for the last 01 year, 08 months and 05 days (as on 02.07.2024).

4. At this stage, learned counsel for the petitioner has also volunteered that the petitioner is ready to deposit a sum of Rs. 50,000/- and shall not abstain

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himself from being present at the trial at any stage except for any cogent reason permissible under law.

5. In light of the above and considering the fact that the trial is progressing and the material witnesses have been examined and a positive undertaking given by the counsel for the petitioner that the petitioner shall not involve himself in any such activity, if granted the concession of bail, hence, the petitioner is entitled to the grant of the concession of regular bail.

6. Without commenting upon the merits of the case, the present petition is allowed and the petitioner shall deposit a sum of Rs. 50,000/- with the trial Court and the same would be liable to be forfeited as per law in case of absence of the petitioner from trial without sufficient cause. The petitioner shall also abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (iii) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (iv) The petitioner shall not commit an offence similar to the offence of which he is accused of, or for commission of which he is suspected.
- (v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed

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independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

03.07.2024
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(KIRTI SINGH)
JUDGE

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