



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-39808-2022
Date of decision: 05.09.2024

RAVINDER KUMAR @ RANA
....Petitioner

Versus

STATE OF PUNJAB
...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Tarunveer Vashist, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

Mr. Karan Garg, Advocate
for the complainant.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, the petitioner craves for indulgence of this Court for his being enlarged on regular bail, in case FIR No.0074 dated 19.06.2019, under Sections 419, 420, 465, 467, 468, 471 and 120-B of IPC, registered at Police Station Meharban, Police Commissionerate, Ludhiana.
2. The Co-ordinate Bench of this Court, vide order dated 22.04.2024, extended the relief of interim regular bail to the present petitioner, considering the days of incarceration suffered by the present petitioner, and thereupon, this Court vide order dated 14.08.2024, directed the petitioner to surrender within a period of 10 days, to enable this Court to decide the instant petition, whereby, the relief of regular bail has been sought by the petitioner.
3. In pursuance to the directions (supra), the petitioner has surrendered before the learned trial Court concerned.



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4. The learned counsel for the petitioner, in his asking for the hereinabove extracted relief, has made the following submissions:-

- (i) The offences under which the petitioner is facing trial, is triable by the Court of Judicial Magistrate First Class;***
- (ii) Petitioner has suffered incarceration of more than 01 year, and 11 months, as on today;***
- (iii) The conclusion of trial will take long time, therefore, further incarceration of the present petitioner is totally unwarranted;***
- (iv) The petitioner has never misused the concession of interim regular bail granted by the Co-ordinate Bench of this Court, vide order dated 22.042024.***
- (v) Out of the total 11 prosecution witnesses cited in the final report, 07 witnesses have already been examined till date.***

5. Per contra, the learned State counsel, has placed on record the custody certificate *qua* the petitioner, as issued by the Superintendent of Central Jail Ludhiana. The same is taken on record. A perusal of the custody certificate reveals that the petitioner has suffered incarceration of 01 year, 11 months and 07 days, as on today. Learned State counsel on instructions, imparted to him by H.C. Talwinder Singh, submits that out of the total 11 prosecution witnesses cited in the final report, 07 witnesses have already been examined.

6. This Court has heard the learned counsel for the parties concerned, and has gone through the instant petition, and is of the considered opinion that the instant petition is amenable for being allowed.

7. The reason for forming the above inference emanates from the factum



that:- (i) The offences under which the petitioner is facing trial, is triable by the Court of Judicial Magistrate First Class; (ii) The petitioner has suffered incarceration of 01 year, 11 months and 07 days, as on today; (iii) Out of the total 11 prosecution witnesses cited in the final report, only 07 witnesses have already been examined till date. (iv) No fruitful purpose would be served by keeping the petitioner behind the bars, (v) Trial is not likely to conclude anytime soon.

8. Considering the hereinabove made discussion, this Court deems it fit and appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

9. However, anything observed here-in-above shall have no effect on the merits of the trial, and is only meant for deciding the present petition.

10. However, it is clarified that if in future, the petitioner is found indulging in commission of similar offences, as are involved herein, the respondent-State shall be at liberty to make an appropriate application seeking cancellation of regular bail, as granted by this Court.

05.09.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No