



CRM-M-41825-2024

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**226 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**CRM-M-41825-2024
Decided on : 03.09.2024

Sukhdev Ram @ Sukh Ram

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent : Mr. Karanjeet Singh Brar, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. This is the petition filed by the petitioner under Section 483 BNSS, 2023 seeking concession of regular bail in case FIR No.40 dated 22.06.2024 under Sections 306, 447, 506, 511 and 120-B IPC registered at Police Station Sadar Abohar District Fazilka.

2. Learned counsel for the petitioner submits that the petitioner's false implication in the present case is evident from the fact that during investigation even the prosecution had not found any substance in the allegations levelled against the petitioner in the FIR in question, as a result of which, not only cancellation report has been prepared and even prosecution has moved an application seeking his discharge in the instant case. Learned counsel has



further submitted that even otherwise, a perusal of the FIR in question (Annexure P-1) does not even obliquely invite the mischief of an offence under Section 306 IPC much less falls within the ambit of definition of 'abetment' as provided under Section 107 IPC of BNSS. Learned counsel has thus, prayed for being extended the concession of bail in the FIR in question as now the petitioner has been in custody for more than two months having been arrested on 25.06.2024.

3. Learned State counsel, on instructions from ASI Kuldeep Singh, has not been able to dispute the submissions made by learned counsel for the petitioner with respect to a cancellation report having been prepared and an application also having been moved by the prosecution for the discharge of the petitioner in the present case.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 25.06.2024. As not disputed by the learned State counsel, the prosecution has prepared a cancellation report qua the petitioner.

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.



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7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

03.09.2024
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(MANJARI NEHRU KAUL)
JUDGE

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