

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

220

CRM-M-51715-2021

Date of decision: 15.02.2024

Tarwinder Singh Sabharwal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ashish Pal Kaushal, Advocate with
Mr. Hitesh Verma, Advocate
for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

Ms. Priya Singhi, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.280 dated 26.11.2019 under Sections 420, 406, 120-B of the IPC registered at Police Station Sahnewal, District Ludhiana.

2. Learned counsel for the petitioner submits that the petitioner has been charged for offences triable by a Magistrate. His condition continuous to be critical. It has also been submitted that after the petitioner was extended the concession of interim bail by a Coordinate Bench of this Court on 23.12.2021, he had never misused the said concession. Learned counsel has further submitted that there is no likelihood of the trial concluding in the near future as prosecution evidence has just recently commenced.

3. Per contra, learned State counsel while opposing the prayer

made by learned counsel for the petitioner, on instructions, has not disputed the factum of the petitioner not having misused the concession of interim bail which was granted to him vide order dated 23.12.2021 on account of his critical medical condition. Learned State counsel has also not disputed that the recording of the prosecution evidence has just recently commenced.

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

5. In the facts and circumstances as enumerated hereinabove particularly keeping in view the critical medical condition of the petitioner, this Court deems it fit to extend the concession of bail to him.

6. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing fresh bail/surety bonds to the satisfaction of the Trial Court/CJM/Duty Magistrate concerned. 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.

15.02.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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