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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-48575-2023 (O&M)
Date of Decision:- 22.02.2024

SUKHBIR SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Vishal Nehra, Advocate for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in the following case:-

FIR No.	Dated	Sections	Police Station
64	01.04.2014	420 and 120-B IPC	Cantonment, District Amritswar

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner is in custody since 30.05.2022 and challan has already been presented in Court and material witnesses have already been examined. He submits that the conclusion of trial will take sufficient long

time and as such prays for grant of regular bail to the petitioner in the present case triable by the Court of Magistrate.

3. On the other hand, learned State counsel has opposed the bail petition and submits that keeping in view the nature and gravity of offence, the petitioner does not deserve the concession of bail. He affirms the factum that out of 12 witnesses cited by the prosecution, 6 have already been examined, who happen to be material witnesses.

4. Heard.

5. After considering the respective submissions and perusing the record, it transpires that the petitioner is in custody since 30.05.2022; challan has already been presented in Court and during the course of prosecution evidence, only 6 out of 12 prosecution witnesses have been examined and the conclusion of trial to ascertain the criminal liability, if any, of the petitioner, in a case triable by the Court of Magistrate, will take sufficient long time and no purpose would be served by detaining the petitioner in custody any longer.

6. In these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion

of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stand disposed of.

(SANJIV BERRY)
JUDGE

22.02.2024
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No