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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-56391 of 2023

Date of decision:- 08.02.2024

BHUPINDER SINGH ALIAS RAVI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Harinder Pal Singh, Advocate
for the petitioner.

Mr. Harpreet Singh, Addl. AG, Punjab.

SANJIV BERRY, J. (ORAL)

The instant second petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
480	24.11.2022	379-B, 411 IPC	Division No.7, Ludhiana

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 petitioner was arrested on 24.11.2022 and since then he is in custody and no other case is registered against the petitioner. He submits that challan has been presented in court and prosecution has cited 11 witnesses and none of the them have been examined till date, as such he prays for grant of concession of bail to the petitioner.

3. Learned State counsel has opposed the bail application by arguing that considering the nature and gravity of the offence, petitioner is not entitled for concession of bail. However, he has not controverted the factual matrix of the case.

4. After considering the rival contentions and perusing the record, it transpires that petitioner was arrested on 24.11.2022 and since then he is in custody. There is no other criminal case registered against the petitioner, challan has been presented in the Court and prosecution has cited 11 witnesses and none of the them have been examined so far. The conclusion of trial to ascertain criminal liability, if any, of the petitioner will take sufficient long time and no useful purpose would be served by keeping the petitioner behind bars any longer.

5. Resultantly, without commenting on the merits of the case, it is observed that no purpose would be served in keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to 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.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

08.02.2024

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