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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42607-2024 (O&M)
Date of Decision: 04.04.2025

Prince

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amandeep Chhabra, Advocate, the petitioner.

Mr.P.S. Bhandari, AAG. Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present is second petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.57 dated 19.04.2023, under Sections 365, 506 IPC (Section 306 IPC added later on), registered at Police Station Sadar Sri Mukatsar Sahib, District Sri Mukatsar Sahib, Punjab.

2. Learned counsel appearing on behalf of the petitioner submitted that it is a case where the petitioner is in custody for 1 year and 11 months and charges in the present case were framed on 17.02.2024 but the prosecution witnesses are not coming forth for deposition and, therefore, considering the custody of the petitioner, he may be considered for the grant of regular bail.

3. On the other hand, Mr.P.S. Bhandari, learned AAG, Punjab appearing on behalf of the State of Punjab submitted that it is a case where



although the custody of the petitioner is 1 year and 11 months and it is not that at every time the case was adjourned because the prosecution witnesses were not coming forth. He referred to the orders passed by the learned trial Court which have been placed on record by the learned counsel for the petitioner dated 06.09.2023, 18.10.2023 and 10.11.2023 and some other orders to show that it was on the request of the counsel for the accused that the matter was adjourned but thereafter on some dates the prosecution witnesses did not appear and they were bound down for further dates. He submitted that even otherwise also it is a case where the allegations against the petitioner were with regard to abduction of a girl of the age of 22 years and the petitioner was a married man and ultimately the victim jumped into the canal and died and later Section 306 IPC was added. He submitted that considering the aforesaid seriousness and gravity of the offence and also the fact that the prosecution witnesses have not been examined, there is a likelihood that in case the petitioner is released on bail, then he may not only abscond from justice but may also influence the witnesses and therefore, the petitioner is not entitled for the grant of regular bail.

4. I have heard the learned counsels for the parties.

5. The custody of the petitioner is stated to be 1 year and 11 months. As per the allegations, the petitioner had abducted a 22 years old girl and the petitioner was stated to be a married person. The victim thereafter allegedly jumped into the canal and died and later on Section 306 IPC was added. The prosecution witnesses have not been examined till date. The apprehension which has been expressed by the learned State counsel that in case the petitioner is released on bail, then he may not only abscond



from justice but may also influence the witnesses carries weight and cannot be ignored. Therefore, considering the gravity and seriousness of the offence involved, the petitioner does not deserve the concession of regular bail.

6. Consequently, the present petition is dismissed.
7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

04.04.2025
rakesh

(JASGURPREET SINGH PURI)
JUDGE

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