

Sr. No.234

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-11459 of 2016 (O&M)

Date of Decision: 17.05.2016

Jaideep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Harkaran Singh, Advocate for
Mr. B.S.Bhalla, Advocate,
for the petitioner.

Mr. K.D.Sachdeva, Additional A.G.Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of bail pending trial in case FIR No.273 dated 22.11.2015, under Sections 307/379-B/186/353/34 of Indian Penal Code, registered at Police Station Cantonment Amritsar, District Amritsar.

FIR came to be registered on the statement of ASI Gurbez Singh. It was stated that a police party had been deputed for checking of vehicles on 22.11.2015 and two young clean shaven boys came from a particular direction on a motorcycle bearing registration No.PB-46-B-0169 and who upon being signalled to stop did not do so and rather the person who was pillion rider attempted a *datar* blow on the head of Head Constable Harjit Singh.

As per prosecution version, such blow was given with an intent to kill and it was only because of Head Constable Harjit Singh wearing a turban that simple injury was suffered. Further allegation is

that at the time when such occurrence took place and immediately thereafter another young person who disclosed his name as Maninderpal Singh also came present and disclosed to the police party that even his mobile phone make Samsung had been snatched by the same two young persons and riding the motorcycle also carrying identical registration number.

FIR was registered against unnamed boys.

Present petitioner was arrested on 27.11.2015. Even though he is not stated to be the owner of motorcycle yet recovery of a Samsung mobile phone of Maninderpal Singh is stated to have been effected from him.

Investigation in the case is complete and even challan stands presented on 26.02.2016. Charges have been framed on 28.04.2016.

Trial is as such still at the very initial stage and would take time to conclude.

Without making any observations on merits and keeping in view the length of incarceration already suffered, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Amritsar.

Disposed of.

17.05.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**