

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-869 of 2016 (O&M)

Date of Decision: 21.01.2016

Joginder Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. A.K. Khunger, Advocate for the petitioner.

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

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.143 dated 26.10.2015 under sections 323, 343, 353, 186, 367, 427 I.P.C and sections 25, 27, 54, 59 Arms Act, registered at Police Station, Lambi, District Sri Muktsar Sahib.

Learned counsel for the parties have been heard.

Allegations against the present petitioner as also co-accused are that the complainant Rishi Kumar, who is an Excise & Taxation Officer, was beaten up and abducted and as such, prevented from discharging his official duties during the course of checking of vehicles.

Petitioner has been in custody since 29.10.2015.

Counsel for the petitioner would submit that the sons of the petitioner are transporters and it is a case of false implication only on account of the unreasonable demands of the complainant having not been met. It is further submitted that earlier also in the years 2013, F.I.Rs have been got registered at Police Station, City Mallout and Police Station Talwandi Sabo by the same very officer and in which till date challan has

not been presented.

Learned State counsel has produced during the course of hearing M.L.R of complainant Rishi Kumar and which would show the injuries to be only simple abrasions.

In an overview of the matter, false implication of the petitioner cannot be ruled out.

Investigation in the case is complete and even challan has been presented on 24.2.2015. Charges are yet to be framed.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Sri Muktsar Sahib.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

21.01.2016
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