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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No. 39742 of 2017
Date of Decision: 01.11.2017**

Jasvir Singh @ Seera

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

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

Mr. J.S. Walia, Senior D.A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed by the petitioner Jasvir Singh @ Seera under Section 439 of the Code of Criminal Procedure to seek regular bail in case F.I.R. No. 24, dated 07.03.2017, registered under Sections 308, 365, 325, 323, 341, 148, 149 and 427 of the Indian Penal Code (Section 308 of the Indian Penal Code added later on), at Police Station Sadar Mansa, District Mansa.

2. The petitioner has remained in detention for over three months by now. In the meantime, investigation has already been completed and charges have been framed.

3. It is contended on behalf of the petitioner that he has been

falsely roped in at the instance of the complainant, who himself is an absconder in a non-bailable case in an F.I.R. registered against him on 16.02.2017, and that in any event, no sharp cutting weapons were used by the assailants in the present case and initially, even Section 308 of the Indian Penal Code was not mentioned in the original F.I.R., but was added subsequently as the Police Authorities are in connivance with the complainant which would be obvious from the fact that they have still not arrested him in the previously pending F.I.R., in which his application for anticipatory bail was also dismissed.

4. Be that as it may, the present position is that investigation is complete and charges have been framed in the Ld. Trial Court and as many as twenty witnesses have been cited in the challan and their evidence has not yet commenced. The petitioner has remained in detention for over three months by now and in the circumstances, his further detention for an indefinite period would not appear to be justified.

5. As such, the present petition is allowed and the petitioner, namely Jasvir Singh @ Seera son of Bara Singh, is directed to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Chief Judicial Magistrate, concerned.

01.11.2017*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No