

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

Sr. No.217

CRM-M No.4091 of 2017
Date of decision: 13.02.2017

Jaipal Singh @ Jaspal Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. H.S. Batth, Advocate
for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 439 Cr.P.C., the petitioner seeks grant of regular bail in FIR No.109 dated 18.09.2016, registered under Sections 307, 323, 324, 148, 149 IPC and 25, 27 of Arms Act, at Police Station Bhikhiwind, District Tarn Taran.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and has falsely been implicated on the basis of a supplementary statement recorded by one of the injured person; there is no specific injury attributed to the petitioner; the challan has been filed and the petitioner is not needed by the investigating agency any more; there is no other criminal case pending against him; even the name of the petitioner as mentioned by the injured is not his name as the petitioner name is Jaspal Singh and the person who has been named by the injured is Jaipal Singh; the petitioner has been in custody since 21.09.2016; the

trial is yet to commence and no useful purpose would be served to keep the petitioner behind the bars.

Learned State counsel opposes the bail application on the ground that there are serious allegations against the petitioner.

Considering the above submissions made by learned counsel for the petitioner and finding merit in the same, in view of the peculiar facts of the case, the petition is allowed and the petitioner is directed to be admitted to regular bail.

Bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Tarn Taran.

Nothing observed herein above shall be considered to be an expression of opinion by this court on the merits of the case.

(DEEPAK SIBAL)
JUDGE

February 13, 2017

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(i) Whether speaking/reasoned
(ii) Whether reportable

Yes/No
Yes/No