

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-45144 of 2017

Date of Decision: 19.12.2017

Jarnail Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.368 dated 13.11.2017 under Sections 353, 186, 120-B IPC, Sections 42 and 52 Prisoners Act and Section 29 Police Act registered at Police Station City Sangrur.

Learned counsel for the petitioner states that the petitioner is in custody since 13.11.2017 and so far as offence under Section 186 IPC is concerned, the same is not attributed to the petitioner for the reason that on the relevant date, the complainant-Pritam Singh, Warden, was not on duty. He further submits that Pritam Singh was inimical towards the petitioner,

as on an earlier date, an altercation had taken place between them and it is due to that the petitioner has been framed in the case.

Learned State counsel, on instructions from HC Hardeep Singh, submits that the petitioner is working as Head Constable in Punjab Police and while in dress, he was trying to throw a bag over the wall of the jail, but the bag did not reach inside the jail.

Having heard learned counsel for the petitioner and considering the fact that the petitioner is in custody since 13.11.2017 and trial in the case shall take long time, I deem it appropriate to release the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

Needless to say that the observations made hereinabove shall not be construed as any expression on the merits of the case.

December 19, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No