

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

**Criminal Misc. No. M-27782-2018
Date of Decision: 13.07.2018**

Karamjit Singh @ Sabhi @ Fauji

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Varinder Basa, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab

...

Inderjit Singh, J.

Petitioner-Karamjit Singh @ Sabhi @ Fauji has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.1, dated 14.01.2011, registered at Police Station Rangar Nangal, District Gurdaspur, under Sections 307, 452, 506, 148 read with Section 149 IPC and 25 and 27 of the Arms Act, 1959.

Notice of motion was issued. Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that the present petitioner has not been named in the FIR. No role has been attributed to him. Rather, he has been nominated on the statement of one Jasbir Singh injured witness, but even then no injury has been attributed to him. As per the allegations, the present petitioner absented from the Court proceedings and was declared proclaimed offender.

On the other hand, learned for the petitioner stated that the

petitioner was in the regular service of the Army and during this period, he remained on duty. This fact is not contested by learned State counsel.

The petitioner has been in custody since 07.03.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

However, it is made clear that any observation made hereinabove shall not be construed as an expression of opinion on the merits of the case.

13.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No