

CRM-M-45435-2017

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45435-2017

Date of Decision: 15th February, 2018

Balbir Singh

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sanjeev K. Virk, Advocate
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.123, dated 30.05.2017, registered at Police Station Rama Mandi, District Jalandhar, under Sections 323, 324, 325, 326, 307, 109, 120-B, 506 and 34 of the Indian Penal Code.

Counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and even the role, which has been attributed to him relates to injuries on the arms and other parts of the body, which have been found to be simple in nature. Petitioner is in custody since 03.06.2017. Counsel contends that the challan has been presented before the Illaqa Magistrate but till date, charge has not been framed and therefore, trial is not likely to conclude in near future. Counsel further contends that no useful purpose would be served by keeping the petitioner in custody

further. He, therefore, prays for grant of regular bail to the petitioner.

Counsel for the State, on instructions from ASI Puran Singh, P.S. Rama Mandi, Dsitriect Jalandhar, could not dispute the assertions of the counsel for the petitioner with regard to the injuries attributed to him and the nature thereof.

Keeping in view the fact that the petitioner is in custody since 03.06.2017 and the charge has, till date, not been framed, the trial, thus, is not likely to conclude in near future, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, Jalandhar.

(AUGUSTINE GEORGE MASIH)
JUDGE

15th February, 2018
Harish

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No