

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-47651-2018

Date of Decision:30.11.2018

Jasbir Singh @ Jassi @ Chota Bugga

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. J.S. Thakur, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.38 dated 26.06.2018 under Sections 324, 341, 148, 149 IPC, 1860 (the offence punishable under Sections 307, 326, 120-B, 506 IPC were added later on) and Section 25 of the Arms Act, 1959, registered at Police Station Rawalpindi, District Kapurthala.

Learned counsel for the petitioner states that the petitioner is in custody since 03.07.2018 and injury attributed to the petitioner is simple in nature. In the case in hand, charge has been framed but no prosecution witness has been examined so far.

Learned State Counsel does not dispute the custody period and the fact that the injury attributed to the petitioner is simple in nature.

However, he states that the petitioner has been convicted in FIR No.19

dated 15.02.2013 under Sections 382, 411 IPC, Police Station Sadar, SBS Nagar, but he has undergone the sentence in this case.

I have heard learned counsel for the parties.

This Court finds that on November 02, 2018, when the case was listed for hearing, learned State Counsel on instructions from ASI Jograj Singh has stated that the petitioner is involved in other cases. However, today it has been apprised that in FIR No.169 dated 29.07.2008 under Sections 323, 341, 148, 149, 506 IPC, Police Station Sadar Phagwara, FIR No.6 dated 07.02.2011 under Sections 457, 380 IPC, Police Station Rawal Pindi and FIR No.113 dated 13.12.2012 under Section 394 IPC, Police Station Sadar, Banga, petitioner has been acquitted. It is only FIR No.19 dated 15.02.2013 under Sections 382, 411 IPC, Police Station Sadar SBS Nagar, petitioner was convicted and he has completed the sentence and as on date, there is no other case against the petitioner.

Considering the fact that the injury attributed to the petitioner is simple in nature and he is in custody since 03.07.2018, coupled with the fact that trial in the case is likely to take long time, I deem it appropriate to admit 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.

November 30, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No