

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

CRM-M No.48054 of 2018 (O&M)

Date of Decision:.02.11.2018

Jaskirat Singh @ Jassi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sanjeev Banga, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.53 dated 05.05.2018, registered under Sections 399, 402 and 411 of the Indian Penal Code, 25/54 of Arms Act, 1959, registered at Police Station Lambran, District Jalandhar.

It is contended by learned Counsel for the petitioner that the occurrence is alleged to have taken place on 27.04.2018 and the FIR was registered on 05.05.2018 and there is delay of eight days in registration of the FIR. It is further contended that report under Section 173 Cr.P.C has already been submitted before the Court of competent jurisdiction and investigation in the case is over. It is further contended that there is no criminal case pending against the petitioner.

Learned State counsel, on instructions from ASI Jaswinder Singh

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has not disputed the above factual position. However, he has opposed the bail application on the ground that out of total eight accused seven have been arrested and one is still at large, therefore, petitioner does not deserve any concession of bail.

Heard both sides and perused the paper book.

It is not disputed that case is fixed for framing of charges and investigation in the case is already over and the only recovery from the petitioner is alleged to be a live cartridge and nothing else. Since, trial will take long time to be concluded finally, therefore, there is no use to keep the petitioner behind the bars. Consequently, this petition is accepted and petitioner-Jaskirat Singh @ Jassi is ordered to be released on bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court / Duty Magistrate, concerned.

The above observations may not be construed as an expression of opinion on merits of case.

02.11.2018

mamta

**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>