

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-2983-2019 (O & M)

Date of Decision: 31.05.2019

JASWINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Akhilesh Vyas, Advocate for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No. 52, dated 06.06.2018, under Sections 302, 148, 149 IPC and Section 25/54/59 of the Arms Act, registered at Police Station Kamboj, District Amritsar.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it was alleged that Gurjant Singh had fired a shot and he was accompanied by Gurbinder Singh and Simar. Four-five unidentified persons were also standing there. He further contends that the petitioner has been arraigned as an accused on the basis of extra judicial confession made before Devender Singh, who had expired. The complainant has not supported the prosecution case and there is no other evidence for the prima facie involvement of the petitioner in the case. He also contends that the petitioner is 25 years old and is in custody since 06.06.2018. He is not involved in any other case.

Learned State counsel upon instructions from ASI Ravinder Singh is not in a position to controvert the averments made by the counsel for the petitioner and states that 04 out of 33 prosecution witnesses have been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is not named in the FIR, the complainant has not supported the prosecution case and conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

May 31, 2019

A.Kaundal

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