

In the High Court for the States of Punjab and Haryana at Chandigarh

CRM-M-21064-2019
Date of Decision: May 21, 2019

Baldev Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. B.S. Bhalla, Advocate,
for the petitioner.

Mr. A.S. Gill, DAG, Punjab.

Mr. K.S. Dargan, Advocate,
for the complainant.

Ramendra Jain, J. (Oral)

Through the instant petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to petitioner – Baldev Singh, in case FIR No. 0066, dated 09.04.2019, registered under Sections 307, 34, 120-B IPC and Sections 25, 27, 54, 59 of the Arms Act, at Police Station City South, District Moga.

According to the prosecution, the incident is of 08.04.2019. Some one assailants fired upon the complainant, when she was going home on a Scooter after getting some food articles for her daughter, after closing her shop.

Learned counsel for the petitioner *inter alia* contends that petitioner has been falsely implicated on the basis of suspicion. The complainant has sworn an affidavit in favour of the petitioner that he was

not the actual assailant, who had fired upon her. That apart, the complainant, namely, Smt. Nitu Gupta, is also present in person along with her counsel. The petitioner is innocent and no recovery is to be effected from the petitioner, therefore, he be enlarged on bail. The petitioner is in custody since 13.04.2019. Conclusion of trial may take long time. No useful purpose would be served by detaining him in jail.

Learned counsel for the complainant, on instructions from the complainant, submitted that he has no objection, if petitioner is granted bail.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Baldev Singh, is ordered to be released on bail pending trial, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

May 21, 2019
vkd

(Ramendra Jain)
Judge

Whether reasoned / speaking : Yes / No

Whether reportable : Yes / No