

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

219

CRM-M-30159-2019 (O & M)
Date of Decision:24.07.2019

Bhupinder Singh @ Sonu @ Kangla

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Nandan Jindal, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.264 dated 03.06.2018, under Sections 302, 120-B, 148 and 149 IPC, registered at Police Station Civil Lines, Amritsar, District Amritsar.

Learned counsel for the petitioner contends that the petitioner was already in custody in NDPS case with effect from 16.05.2016 and was falsely indicted in the present case i.e. FIR No.264 dated 03.06.2018. He submits that the occurrence took place on 02.06.2018, whereby assailants had fired at the victim and the complainant had stated that the petitioner had also conspired with them. He further submits that the investigation of the case is complete and the challan stands filed. According to him, there is no material evidence to connect the petitioner with the alleged crime, therefore, further custody of the petitioner may not be justified.

On the other hand, learned State counsel assisted by Inspector Harjinder Singh has opposed the bail application on the ground that it was a planned crime as the petitioner conspired with other criminals to commit the said offence. However, he is unable to produce anything except the statement of the complainant as recorded in the FIR wherein the petitioner was mentioned as one of the conspirators.

Considering the above back ground and the fact that the trial is likely to take some time, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

24.07.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No