

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

219

CRM-M-43299-2019(O & M)

Date of Decision:18.10.2019

Sachin

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Pranav Handa, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has prayed for grant of regular bail in case FIR No.70 dated 30.06.2019 under Sections 323, 336, 341, 427, 506, 160, 148 and Section 149 of Indian Penal Code, 1860 (Section 307 IPC added later on), and Sections 25/54/59 and 27 of Arms Act, 1959, registered at Police Station Division 1, District Police Commissionerate Jalandhar.

Learned counsel for the petitioner contends that the FIR was registered on the information given by secret informer wherein it was alleged that Ishu resident of Sava Do Marle who was an auto driver had dispute with Sonu resident of Kalia colony, Jalandhar. According to him, the allegations are false as none of the aggrieved party has lodged the FIR or had given any complaint. Further, he submits that the allegations are founded on the hearsay material. It is pointed out that all the offences are bailable except the offence under Section 307 IPC and offence under Arms Act, 1959. He also contends that no person was injured in the said occurrence and further custody of the petitioner may not be required, who is

confined in judicial custody. According to him, the investigation of the case is almost complete and, therefore, the concession of bail deserves to be extended to him.

On the other hand, learned State counsel has opposed the prayer. However, it is not disputed that no person was injured in the said occurrence as according to him, it was showing of strength by two rival groups. Further, it is not disputed that there is no eye-witness of the alleged occurrence.

After hearing learned counsel for the parties, this Court finds that the further custody of the petitioner may not be necessary, as the trial is likely to consume considerable time. 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.

18.10.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No