

209

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49399-2019

Date of Decision: 29.11.2019

Jaswinder Singh @ Jass

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Atul Goyal, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner Jaswinder Singh @ Jass has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.251 dated 17.12.2018, under Sections 307/323/365/506/148/149 IPC, registered at Police Station Daba, District Police Commissionerate Ludhiana. He is in custody since his arrest on 27.12.2018.

The FIR in the present case was registered on the statement of complainant Dalip Kumar, who was forcibly taken in a vehicle by accused, namely, Bhupinder Singh @ Rinku, Baljinder Kumar @ Kali and Arjun Kumar to the house of Sunil Kumar, where Parminder Kaur @ Naano was also present. According to the allegations, the victim was given beatings, however, as per allegations in the FIR, accused Jaswinder Singh @ Jass is attributed the injury on the complainant with a *Daah* on his left bicep.

According to learned counsel for the petitioner, there is previous enmity between the parties as per motive mentioned in the FIR. It is further pointed out that the injury alleged to have been caused by the

petitioner do not attract the provisions of Section 307 IPC. According to learned counsel, the case of the petitioner is at par with co-accused Bhupinder Singh @ Rinku, to whom concession of bail has been extended by this Court vide order dated 23.05.2019 in CRM-M- 22252 of 2019.

On the other hand, learned State counsel, who is assisted by SI Tarshem Singh opposed the bail application on the ground of seriousness of offence. It is not disputed that only one injury has been attributed to the petitioner i.e. on left bicep of the complainant with a *Daah*. He states that case of the petitioner is similar to co-accused Bhupinder Singh, who has been released on bail.

Considering the above background of the case and the fact that trial of the case is likely to consume some more time, this Court is of the opinion that 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, Ludhiana.

The petition is allowed.

29.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No