

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

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**CRM-M-51551-2019
Date of decision : 13.12.2019**

Jaspreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Kanwaljit Singh, Sr. Advocate assisted by
Mr. Yogesh Vashisht, Advocate for the petitioner.

Mr. Arun Kaundal, DAG, Punjab.

Mr. Vikram Singh Chahal, Advocate
for the complainant.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to him in case FIR No.134 dated 10.09.2019 registered under Sections 307, 353, 333, 186, 332 and 120-B of the Indian Penal Code, 1860 at Police Station Sadar, Ludhiana.

Reply on behalf of the respondent-State, by way of affidavit of Sh. Jashandeep Singh Gill, P.P.S., Assistant Commissioner of Police (South), Ludhiana and reply on behalf of the complainant are filed in Court today which are taken on record.

I have heard learned Counsel for the petitioner, learned State Counsel and learned Counsel for the complainant and gone through the relevant record.

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the case. The petitioner was not named in the FIR. No injury on the person of the injured is attributed to the petitioner. The petitioner has been implicated on the basis of disclosure statement allegedly made by co-accused. No recovery was made from the petitioner. The petitioner is not having any relation with any of the alleged assailants. One of the accused namely

Pavneet had called the petitioner regarding which the petitioner had entered the mutation on 30.08.2019. The trial is likely to take long time. No useful purpose will be served by detention of the petitioner in custody during trial. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State Counsel and learned Counsel for the complainant have argued that the petitioner was inimical due to the posting of the injured-complainant at his present place of posting on transfer of the petitioner. The petitioner hired the assailants for attacking the injured-complainant and two of the injuries caused by them were declared to be dangerous to life. On the day of occurrence, the petitioner made phone call to the injured-complainant to ascertain his whereabouts to confirm whether he reached his office and thereafter, the assailants on communication from the co-accused attacked the injured complainant. The petitioner having committed heinous offence does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation, the fact that the petitioner was not present on the spot at the time of occurrence and no injury was attributed to him, there is no call details regarding calls made by the petitioner to his co-accused on the day of occurrence and his involvement in crime is yet to be adjudicated upon during trial which is likely to take long time but without commenting on the merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate, Ludhiana.

13.12.2019

Kothiwal

**(ARUN KUMAR TYAGI)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No