

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.1900 of 2020 (O&M)

Date of Decision: 11.05.2020

Pala Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. K.B. Raheja, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

CRM No.10365 of 2020

For the reasons stated in the application, the same is allowed and with the consent of parties, hearing of the case is preponed for today itself.

CRM-M No.1900 of 2020

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.84 dated 13.07.2019 under Section 324 IPC (Section 326 IPC added later on) registered at Police Station Sadar, Jalalabad, District Fazilka.

In brief, facts of the case are that the petitioner came to be arrested on lodging of aforementioned FIR on the ground that the petitioner had hurled abuses to the sister of complainant and had given him a blow on his left wrist with *kappa*, which resulted in a fracture. The regular bail was declined primarily on the ground that if he is allowed to be enlarged on bail, he may interfere in the ongoing investigation.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 21.09.2019. It is submitted that the petitioner has been falsely implicated in the present. It is also contended that challan has been presented and statement of the complainant has been recorded. The trial is likely to take some time to conclude and therefore, the petitioner is entitled to be enlarged on bail.

Per contra, Ms. Samina Dhir, DAG, Punjab learned counsel appearing on behalf of respondent-State, on instructions from Inspector Jaswant Singh, opposes the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature. However, she does not dispute the fact that challan has been presented and statement of the complainant has been recorded.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the fact that the petitioner herein has been in custody since 21.09.2019 and that challan has been presented and statement of the complainant has already been recorded, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without going into merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made by this Court shall not be construed to be an expression on the merit of the case.

(JAISHREE THAKUR)
JUDGE

May 11, 2020

Pankaj*

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No