

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-2656 of 2020

.....

Date of decision:28.01.2020

Sukhwant Singh alias Mau

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Ashok Kumar Verma

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Present: Mr. Karanjeet Singh Brar, Advocate for the petitioner.

Mr. S.S. Cheema, Assistant Advocate General, Punjab for the
respondent-State.

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Ashok Kumar Verma, J.

The petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in case FIR No.127 dated 19.11.2019 (Annexure-
P.1) registered for the offences under Sections 323, 307, 379, 506, 148 and
149 IPC at Police Station Division No.3, District Jalandhar.

Notice of motion to Advocate General, Punjab.

Mr. S.S. Cheema, learned Assistant Advocate General, Punjab
has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as
learned State counsel and have gone through the record.

From the record, I find that when the complainant along with
his friend Shiv were returning on a motorcycle, Gaurav Sharma alias Noni

along with Gurbaksh Singh alias Sandi and Paras Arora and Tejbir Singh, while driving Alto K10 car, with an intention to kill the complainant, hit their motorcycle as a result of which they fell down. Gaurav Sharma, Gurbaksh Singh, Tegbir Singh alias Tega and Paras Arora armed with *Dattars*, while raising *Lalkaras*, came towards him to teach him a lesson. On seeing the accused armed with *Dattars* he ran away from the spot. The accused followed him and while raising *Lalkaras* ran away from the spot and had also taken his bag full of clothes and containing ₹10,000/- cash and other documents. During the investigation on checking the CCTV Cameras, it was found that another ZEN car was present there, which was being driven by present petitioner-Sukhwant Singh alias Sukha alias Mau son of Happy Tailor. The only role attributed to the petitioner is that he was driver of ZEN car.

The moot point is to be determined during the course of trial as to whether offence under Section 307 IPC is made out or not. The petitioner is not named in the FIR. Gurbaksh Singh and other petitioners in Criminal Misc. No.M-53723 of 2019, have already been granted the concession of anticipatory bail vide order dated 13.12.2019 passed by a Co-ordinate Bench of this Court. The petitioner has been in custody since 27.11.2019. The petitioner is not required for interrogation or investigation purposes as he is in judicial custody. The trial of the case is likely to take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the

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present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bond in the sum of ₹25,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

January 28, 2020.

(Ashok Kumar Verma)
Judge

hsp

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