

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM-M-3903-2020

Date of Decision: 03.02.2020

RAVINDER KUMAR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Ashok Giri, Advocate
for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in Cross case bearing GD No. 35 dated 02.07.2018 under Sections 323, 341, 365, 511, 354 and 149 IPC and in case FIR No.133 dated 02.07.2018 under Sections 323, 427 and 149 IPC and Sections 3 (1), (ii) & 3 (1) (iv) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Adampur, District Jalandhar Rural.

Learned counsel for the petitioner contends that the petitioner has been named as an accused in the cross-version case. The FIR was registered at the behest of Satpal Kalsi who is the friend of the petitioner and in this background a false case has been registered against the

petitioner and other co-accused. The petitioner is in custody since 24.12.2019.

Learned State counsel on instructions from ASI Joginder Singh does not dispute the custody of the petitioner but has opposed the bail on the ground that the petitioner is arrested in the P.O. proceedings and therefore his conduct does not warrant that he be admitted on bail.

Heard learned counsel for the parties.

The petitioner is in custody since 24.12.2019. There is cross-version case between the parties. The offences against the petitioner are triable by a Magistrate. As regards the argument of the State counsel that the petitioner was P.O. and arrested in the P.O proceedings on 24.12.2019 but considering the nature of allegation and the fact that trial may take long time, and the culpability of the petitioner is yet to be established, he deserves to be admitted on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

03.02.2020
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(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No