

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-12595 of 2020

Date of Decision: 02.06.2020

Jaspreet Singh @ Jassa Singh

...Petitioner (s)

Versus

State of Punjab

...Respondent(s)

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

Present:- Mr. Munish Kumar Singla, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, 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 case FIR No.175 dated 09.12.2018 u/ss 323, 324, 148, 149 IPC and Section 307 IPC (added later on) registered at Police Station Jaitu, District Faridkot.

Learned counsel for the petitioner has argued that though the allegation against the petitioner is that he has caused injury on the head of the victim-complainant, however, the complainant was discharged from the hospital immediately after the alleged incident and he is performing his day-to-day works. He further submits that as against the 22 witnesses cited

by the prosecution, the evidence of one witness i.e. complainant has started and he has been partly examined on 05.02.2020. Thereafter, an application under Section 319 CrPC has been filed by the prosecution so as to summon the accused who were otherwise found innocent during investigation. The said application is coming up before the trial Court on 20.07.2020. The petitioner is in custody since 03.10.2019.

Learned State counsel, on instructions from HC Akalpreet, does not dispute the custody of the petitioner as well as the fact that the prosecution has filed an application under Section 319 CrPC so as to seek summoning of other accused who have been found innocent during investigation.

I have heard learned counsel for the parties.

The petitioner is in custody since 03.10.2019. No witness except the complainant has been examined so far. Even the complainant has been partly examined. Moreover, the prosecution has also filed an application under Section 319 CrPC, which is pending consideration. Considering the fact that trial in the case will take sufficient long time and no useful purpose would be served by keeping the petitioner in custody, this Court deems it appropriate to release the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

However, it is made clear that the petitioner shall not influence or prevail upon the witness in any manner and in the event of any such like

attempt by the petitioner, the prosecution shall be at liberty to seek cancellation of bail.

June 02, 2020
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No