

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

CRM-M-20022-2020 (O&M)
Date of Decision: August 10, 2020

Jajbir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. PBS Goraya, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 154 dated 10.07.2019, under Sections 295, 452, 427, 323, 304 Indian Penal Code (added later on Section 148, 149, 34 IPC (Section 302 IPC deleted later on), registered at Police Station Islamabad, District Amritsar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 04.02.2020. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the allegations as set out in the FIR are not

sustainable while further arguing that the challan stands presented and the co-accused Resham Singh and Ravinder Singh have been granted bail by this Court, which is reflected from Annexure P-1 and P-2 respectively and that the conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, 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 Section 302 IPC has been deleted later on and that the co-accused in the matter have been released on bail.

I have heard learned counsel for the parties.

In view of the restricted working of the Courts due to pandemic COVID-19 situation, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 04.02.2020 and that challan stands presented and the co-accused having been granted bail, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the 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.

August 10, 2020

seema

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)

JUDGE

Yes/No

Yes/No