

**208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.21933 of 2020

Date of decision : October 14, 2020

Jaspinder Singh @ Rozi

..... Petitioner

Versus

State of Punjab

..... Respondent

(IN VIRTUAL COURT)

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Manbir Singh Basra, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. Gagandeep Singh Simble, Advocate for the complainant.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.0073, dated 16.06.2020 registered under Sections 324, 326, 148 and 149 IPC, at Police Station Sekhwan, District Gurdaspur.

It is submitted by the counsel for the petitioner that the case against the petitioner is totally concocted and motivated. The petitioner is not involved in the crime at all, as alleged. Even as per the case of the prosecution, the only attribution to the petitioner is causing injury on the finger of the left hand of the father of the complainant with a *datar*. The petitioner has been in custody since 22.06.2020. There is no other case against the petitioner. The investigation of the case is complete. The petitioner is not required for any investigation purposes.

On the other hand, learned State counsel, being instructed by ASI Surinder Singh and being assisted by learned counsel for the complainant, has submitted that the petitioner is specifically named in the FIR. Rather, the petitioner is the main accused. He has been attributed the specific injury, which has invited Section 326 IPC. However, it is not disputed that the petitioner has been in custody since 22.06.2020, there is no other case against the petitioner and that the challan has already been presented in this case.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

October 14, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No