

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

214)

Crl. Misc. No.M-33193 of 2020
Date of Decision: 02.11.2020

Baljinder Singh @ Gandhi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Umesh Aggarwal, Advocate, for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab

Amol Rattan Singh, J. (Oral)

By this petition, filed under the provisions of Section 439 of the Cr.P.C., the petitioner seeks the concession of 'regular bail', upon FIR no.232, dated 03.09.2019, having been registered at Police Station Islamabad, District Amritsar, alleging therein the commission of offences punishable under Sections 307/120-B/148/149/506 of the IPC and Section 52 of the Prisons Act, 1894.

Learned counsel for the petitioner relies upon orders dated 01.10.2020 and 07.08.2020, passed by a coordinate Bench in CRM-Ms-23936, 27775, 25036 of 2020 and CRM-M-19366 of 2020, as also of this Bench dated 28.05.2020 and 06.03.2020, passed in CRM-M-10785 of 2020 and CRM-M-5976 of 2020, wherein all the co-accused of the petitioner have been admitted to bail, with him submitting that the present petitioner is no differently placed the petitioner in CRM-M-32768 of 2020, i.e. Nachattar Singh, who also has been admitted to bail by this court on 30.10.2020.

Upon query to the learned State counsel, he admits that the petitioner has been attributed only a simple injury on one person, in what was possibly a “free for all” fight in the jail.

Consequently, this petition is allowed. The petitioner would be enlarged on bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

However, it is made clear that nothing observed will be taken to be a comment on the merits of the case, which would be gone into by the trial court wholly on the basis of the evidence led before it.

02.11.2020
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(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: No