

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

CRM-M No.34306 of 2020

Date of decision : November 02, 2020

Harjeet Singh @ Jeeta

..... Petitioner

Versus

State of Punjab

..... Respondent

(IN VIRTUAL COURT)

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Manvinder Singh Sidhu, Advocate for the petitioner.

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.245 dated 20.08.2020, registered under Sections 307, 148, 149, 202 and 120-B IPC and 25 of the Arms Act, 1959, at Police Station Shahkot, District Jalandhar.

It is submitted by learned counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the allegations of the prosecution, the petitioner is not attributed any role in the attack upon the complainant and all. The only attribution to the petitioner is that the co-accused had made a disclosure statement to the police that the petitioner was aware about the incident but he did not inform the police about the same. It is further submitted that the petitioner has been in custody since 05.09.2020. Petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

Notice of motion.

Mr. Ramdeep Pratap Singh, DAG, Punjab accepts notice on behalf of the State and Mr. Amandeep Singh Manaise, Advocate puts in appearance on behalf of the complainant.

Learned State counsel, being assisted by the learned counsel for the complainant, has submitted that the petitioner was well aware of the incident, which had happened, therefore, it was his duty to inform the police. However, he failed to discharge his legal duty. Therefore, the petitioner has rightly been booked for the offence. However, it is not disputed that there is not even any allegation against the petitioner qua his participation in the offence under Section 307 IPC. It is also not disputed that the petitioner is in custody since 05.09.2020 and that he is not required for any investigation purposes.

In view the above, but without commenting any further 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

November 02, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No