

CRM-M-35338-2020

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

CRM-M-35338-2020

Date of decision: 09.11.2020

Jagdev Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sunny K. Singla, Advocate,
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate by way of affidavit of the Deputy Superintendent, District Jail, Sri Muktsar Sahib, has been filed through e-mail. Print out of the same is taken on record.

Through this petition, the petitioner seeks regular bail in case FIR No.83 dated 22.09.2020, registered at Police Station Ajitwal, District Moga, under Sections 436, 427 and 34 IPC.

Learned counsel for the petitioner contends that an altercation allegedly took place between the petitioner and the liquor vendor in late evening as the later was asking for more money than the prescribed rate; that the petitioner has falsely been implicated in the present case; that no recovery was effected from the possession of the petitioner; that no loss was caused to the liquor vend; that the petitioner is to perform the last rites

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of his mother, who unfortunately expired on 14.10.2020, and that the petitioner has been in custody since 26.09.2020.

Per contra, the learned State counsel opposes the prayer made in the present petition. However, he does not deny the custody period of the petitioner. He, on instructions from ASI Sukhdev Singh, states that there is no other case pending or registered against the petitioner.

I have heard the learned counsel for the parties and gone through the case file.

Admittedly, mother of the petitioner expired on 14.10.2020 and he is to perform the last rites of her mother. He has been in custody since 26.09.2020. Nothing is to be recovered from him. Trial of the case is in the offing which may take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

09.11.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No