

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.32396 of 2019

Date of Decision:26.02.2020

Harpreet Singh @ Jass alias Happy

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Gagandeep Singh Jammu, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

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JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in case FIR No.03 dated 10.01.2019 under Sections 306, 120-B, 34 IPC registered at Police Station S.G.N., Thermal Plant, District Bathinda.

Learned counsel appearing for the petitioner herein would contend that the petitioner has been falsely implicated in the said FIR. It is also argued that he has been in custody since 15.04.2019. Investigation in the said FIR is complete and statement of complainant has been recorded on 18.09.2019, however, he has not put in appearance on two consecutive occasions to have his cross-examination concluded. It is also argued that an application has also been filed by the petitioner herein under Section 311 Cr.P.C. seeking permission to further cross-examine the complainant and it is on this account that he is not stepping forward.

Learned counsel for the respondent-State would submit that he

is not in a position to dispute the factual position, while admitting that the complainant, despite having been summoned to face cross-examination is not stepping forward.

Since no further investigation is required and statement of complainant has already been recorded and the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

February 26, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No