

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-40554 of 2020
Date of Decision:09.12.2020

Balwinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. G. S. Nagra, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioner seeks the concession of 'regular bail', under the provisions of Section 439 of the Cr. P.C., upon FIR no.182, dated 28.07.2020, having been registered at Police Station Ajnala, District Amritsar, alleging therein the commission of offences punishable under Sections 307, 323, 324, 452, 427, 188, 148, 149 of the IPC as also Section 25, 27, 54, 59 of the Arms Act.

Mr. Nagra submits that though the allegation against the petitioner is that he attacked the complainant and one more person with a “*kirpan*” and inflicted an injury on his head, however the story itself is not believable that the petitioner, who is only a labourer/share-cropper, would attack land owners.

He further submits that the injured were discharged from the hospital after 3-4 days and that the petitioner has been in custody for more than 4 months, with the trial still to commence.

Upon query to learned State counsel, though he opposes the grant of bail in view of the serious allegations made against the petitioner, he does not deny that no prosecution witness has been examined so far out of 14.

On query, he also submits that as per his instructions, there is no other criminal case registered against the petitioner.

That being so, without making any comment on the actual merits of the case, the petition is allowed, with the petitioner ordered to be admitted to bail to the satisfaction of the trial court/CJM/Duty Magistrate concerned.

December 09, 2020
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No