

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

CRM-M-41564-2020

Date of Decision: 17.12.2020

Pawandeep Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. H.S. Sullar, D.A.G., Punjab.

Mr. Ankur Malik, Advocate for the complainant.

HARNARESH SINGH GILL, J. (Oral)

Case is taken up for hearing through video conferencing.

Petitioner has filed this petition under Section 439 of Cr.P.C.
for grant of regular bail in case FIR No.97 dated 04.10.2020 registered
under Sections 307, 323, 324, 341, 427, 294, 506, 148, 149 of IPC, 1860
(Sections 452/201 IPC added later on) at Police Station Mullanpur,
District SAS Nagar.

Learned counsel for the petitioner submits that the name of
the petitioner has been arrayed as an accused in the present case at the
behest of the complainant party, as Netar Singh-complainant had a
dispute with his brother Pal Singh regarding passage in front of his
house. The matter could not be amicably resolved and a scuffle took
place between the family members. The petitioner was not named in the
FIR and no specific role has been attributed to him. The petitioner has
been in custody since 28.10.2020. Co-accused Major Singh has been
granted bail by this Court vide order dated 24.11.2020 passed in CRM-

M-37946-2020 (Annexure P-4).

Learned State counsel assisted by learned counsel for the complainant has drawn the attention of this Court that the petitioner was armed with iron rod and gave beatings to complainant party and recovery is yet to be effected from the petitioner but has not disputed that co-accused Major Singh has been granted regular bail by this Court.

Copy of custody certificate by way of affidavit dated 17.12.2020 of the Deputy Superintendent, District Jail, Rupnagar, submitted by the learned State counsel through email, is taken on record.

I have heard learned counsel for the parties.

The petitioner was not named in the FIR and he is in custody since 28.10.2020. Moreover, co-accused Major Singh has been granted regular bail by this Court. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner the bars.

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

17.12.2020

ps-I

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No