

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
 AT CHANDIGARH

CRM-M No.44161 of 2019
DATE OF DECISION:13.02.2020

Amrit Pal @ JV

...Petitioner

v.

State of Punjab

...Respondent

CORAM:- HON'BLE MR.JUSTICE LALIT BATRA

Present: Mr. M. S. Saini, Advocate
 for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

Mr. Vishal Thakur, Advocate
 for the complainant.

LALIT BATRA, J. (Oral)

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Amrit Pal @ Jv** in DDR No.32 dated 08.04.2018 under Sections 148 and 307 IPC read with Section 149 IPC and Section 25 of Arms Act registered at Police Station City Hoshiarpur as cross version case of F.I.R. No.57 dated 04.04.2018 under Sections 148, 307 and 427 IPC read with Section 149 IPC and Section 25 of Arms Act registered at Police Station City Hoshiarpur.

Learned counsel for the petitioner *inter alia* contends that petitioner is in custody since 20.02.2019 and he is no more required by the Police for any investigation purpose. He further submits that after completion of investigation, challan has been presented in the Court and

trial has already commenced. He further urges that as a matter of fact petitioner had sustained fire-arm injuries and to this effect he had got registered FIR No.57 dated 04.04.2018 under Sections 148, 307 and 427 IPC read with Section 149 IPC and Section 25 of Arms Act at Police Station City Hoshiarpur against the complainant party of cross- version. He further submits that as per cross-version allegations, fire-arm injury on the person of Naresh Kumar @ Laddi has been attributed to co-accused Yashpal Singh @ Palla, whereas no injury has been attributed to the petitioner. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel assisted by learned counsel for the complainant while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 20.02.2019; that challan has been presented against the petitioner in the Court; that trial has already commenced and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved

by petitioner-**Amrit Pal @ JV** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Hoshiarpur, as the case may be.

(LALIT BATRA)
JUDGE

13.02.2020
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No