

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

(Heard through VC)

CRM-M-6891 of 2020 (O&M)
Date of Decision: January 18, 2021

Jaspal Singh @ Palli

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajiv Kataria, Advocate
for the petitioner.

Mr. Amrik Singh Narwal, DAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.34 dated 29.01.2019, under Sections 186, 353, 307, 34 of Indian Penal Code and Section 25 of Arms Act, registered at Police Station Taraori.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 29.01.2019. It is submitted that the petitioner has been falsely implicated in the said matter. In fact, FIR No.19 dated 17.01.2019 was registered under Sections 148, 149, 392, 302 of Indian Penal Code and Section 25 of Arms Act at Police Station Taraori, in which the petitioner was falsely implicated and was released on bail by this High Court on 14.01.2020 on the ground that he was not named in the FIR and had been named on the basis of a confessional

statement of co-accused. It is argued that in the instant FIR, the allegations of Section 307 of Indian Penal Code would not be made out against him, as there is no medical to support the said allegations. It is also argued that in the instant FIR as well, he has not been named. It is also contended that out of total 18 witnesses, 07 witnesses have already been examined and conclusion of trial will take sufficient time, as such, the petitioner is entitled to be enlarged on bail.

Per contra, State counsel, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that there are serious allegations levelled against the petitioner herein.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 29.01.2019 and conclusion of trial will take sufficient time, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

January 18, 2021
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No