

CRM-M No.10039 of 2021

Date of Decision : 16.03.2021

Navneet Singh

...Petitioner

Versus

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Gagandeep Singh Simble, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.002 dated 13.01.2021, registered under Sections 307, 379-B, 324, 323, 506, 148, 149 IPC 1860 and 25, 27, 54, 59 Arms Act, 1959 (Offence under Section 307, 379-IPC and 25 Arms Act, 1959 deleted later on and offence under Section 325, 429 IPC and 11 Treating Animal Cruelty Act, 1960 added later on) at Police Station RangarRangal, Police District Batala, District Gurdaspur.
3. Learned counsel contends that an altercation took place between the employer of the petitioner and the complainant and the petitioner has been falsely implicated in the case solely on account of his being present at the place of incident. Learned counsel further contends that name of the petitioner is not mentioned in the FIR and it is only subsequently, in the supplementary statement that allegation has been

made of the petitioner having inflicted a simple injury with a dang blow on the complainant. Learned counsel contends that petitioner is in custody since 14.01.2021, investigation is complete, challan has been filed against the petitioner, that the trial would take considerable period of time as charges are yet to be framed and that no useful purpose would be served by keeping the petitioner in custody.

4. Learned AAG, Punjab, confirms investigation having been completed and challan having been filed as also of custodial interrogation of the petitioner not being required any further.

5. I have considered the submissions of learned counsel for the parties.

6. In the light of position noted above and after taking all aspects of the matter into account but without commenting upon the merits of the case, the petition under Section 439 Cr.P.C. is allowed and the petitioner is ordered to be released on regular bail during the pendency of the trial in the instant case subject to his furnishing bail bonds/surety to the satisfaction of the learned trial Court/CJM/Duty Magistrate and provided he is not required in any other case. The petitioner shall also comply with the conditions contained in Section 437(3) Cr.P.C. However, nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

(B.S. Walia)
Judge

16.03.2021.

ps

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