

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

**CRM-M No.11873 of 2021 (O&M)
Date of Decision.07.04.2021**

Mukesh Kumar alias Sonu alias Moongi

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Siddharth Gupta, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail in case FIR No.65 dated 18.03.2020 under Sections 302, 323, 341, 506, 148, 149 IPC (Section 325 IPC added later on) registered at Police Station Gate Hakima, District Police Commissionerate, Amritsar.

Learned counsel for the petitioner would contend that initially the FIR came to be registered on 18.03.2020 on statement given by Jasbir Singh in which the main allegations were against one Jaspal Singh of having given a blow with his baseball bat on head of father of the complainant, due to which his father fell down and subsequently died. It is submitted that supplementary statement came to be recorded on the next day wherein it was stated that the present petitioner had given a blow with Kirpan to his father which hit the back of his father from reverse side. It is further argued by counsel appearing for the petitioner that said injury as attributed to the petitioner is not borne out from the medical record. The petitioner is in custody since April, 2020. The co-accused of the petitioner

has already been allowed bail by this High Court vide order dated 10.11.2020 passed in CRM-M No.32765 of 2020. The investigation is complete and the challan stands presented and therefore, custodial interrogation of the petitioner would no longer be required.

Learned counsel appearing for the respondent-State opposes grant of bail to the petitioner by contending that no ground for grant of bail to the petitioner is made out.

I have heard learned counsel for the parties. Keeping in view the fact that the investigation is complete and the challan stands presented and the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/ surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

April 07, 2021
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No