

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

CRM-M-14026 of 2021

DECIDED ON: 8th JULY, 2021

Nishan Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Umesh Aggarwal, Advocate for petitioner.

Ms. Monika Jalota, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking regular bail in case of FIR No. 304 dated 16.11.2020, under Sections 308, 353, 186, 506, 148, 149 IPC registered at Police Station Gate Hakima District Amritsar.

The brief facts are that the police acting on a secret information undertook a checking on 16.11.2020 where they found 10-15 peoples playing cars in the ground of village Moole Chak. Few persons ran away on seeing police. It is alleged that Gora Singh Mason holding a brick in his hand came towards the police. It is alleged that he broke the button of uniform and inflicted a head injury with the brick to SI Amarjit Singh. It was stated that 4 or 5 unknown persons were also standing who attacked the police party.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and no specific role is attributed. He relies upon the order of this Court in CRM-M-10943-2021 dated 16.3.2021 whereby co-accused Dildar Singh was granted bail.

Learned State counsel though opposes the bail, on instructions from SI Balwinder Singh submits that the petitioner is in custody since 22.12.2020; investigation is complete and challan has been presented.

Having heard learned counsel for the parties at length and considering that there is no specific allegation against the petitioner; investigation is complete; co-accused has been granted bail and no useful purpose would be served by keeping the petitioner behind bars, the petitioner is granted bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8th JULY, 2021

reema

**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>