

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

**CRM-M-20720-2021 (O&M)
Date of decision : 28.05.2021**

Nishan Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Balbir Singh Jaswal, Advocate for the petitioner.

Mr. V.G. Jauhar, Sr. DAG Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.35 dated 16.03.2021 registered under Section 379-B of the Indian Penal Code, 1860 at Police Station Sultanwind, Amritsar City, District Amritsar.

Learned counsel for the petitioner would contend that it is alleged in the FIR that the complainant had gone to meet his uncle at Diamond City Near Baba Budha Ji Avenue and when he reached near the house of his uncle, the accused stopped him by parking their motorcycle in front of his motor-cycle. Learned counsel for the petitioner would further contend that the complainant is not resident of the area and it is not understandable as to how the complainant recognized any of the accused. Learned counsel for the petitioner would further contend that even in the FIR, no role is attributed to the petitioner except that he had pushed the

complainant.

Notice of motion.

On the asking of the Court, Mr. V.G. Jauhar, Sr. DAG Punjab, who has joined the session through video conferencing, accepts notice on behalf of the respondent-State. He, on instructions from ASI Bikramjit Singh, states that the challan has since been presented. There is no recovery to be effected from the present petitioner. He further states that the petitioner has clean antecedents and there is no other case pending against the petitioner.

I have heard learned counsel for the parties.

In view of the above and without commenting upon the merits of the case, I deem this to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

May 28, 2021
tripti

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO