

CRM-M-22102-2021 (O&M)

THROUGH VIDEO CONFERENCE

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

**CRM-M-22102-2021 (O&M).
Decided on: July 19, 2021.**

Bhagwant Singh

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Joginder Sharma, Advocate,
for the petitioner.**

Mr.Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure, seeking regular bail in FIR No.66 dated 13.06.2018, under Sections 450, 326, 324, 323, 148 and 149 IPC, registered at Police Station, Sadar, District Faridkot.

As per the FIR number of persons including the petitioner had attacked the complainant and injuries were caused to him.

Learned counsel for the petitioner has submitted that it is

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a case where the petitioner has been falsely implicated and even as per the allegations contained in the FIR itself, the petitioner was empty handed and the only role attributed to the petitioner is of raising *lalkara*. He has further submitted that the petitioner is not involved in any other case. He has submitted that the petitioner is in custody since 19.12.2020, as such, his case may be considered for the grant of regular bail.

On the other hand, learned State counsel has submitted that it is correct that the petitioner is in custody since 19.12.2020 and investigation is complete and challan qua the petitioner has already been presented on 28.1.2021 and that no recovery is to be made from the petitioner. He has stated that it is also correct that there is no other case against the petitioner. Learned State counsel has also not disputed the fact that other co-accused have been enlarged on bail. However, the learned State counsel has opposed the grant of regular bail on the ground that the matter is serious in nature.

I have heard the learned counsel for the parties.

In the present case the petitioner is in custody since 19.12.2020 and the investigation of the case is already complete and challan has also been presented on 28.1.2021 and further no recovery is to be effected from the petitioner. The only role attributable to the petitioner as per the FIR is that of raising lalkara and that he was empty handed. Admittedly there is no other case against the petitioner. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may tamper with any evidence or may influence any witness or may flee

from justice.

Therefore, considering the totality of the circumstances of the present case, this Court deems it fit and appropriate to admit the petitioner on bail. Consequently, the present petition is allowed. It is ordered that the petitioner shall be released on bail on his furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

July 19, 2021.	(JASGURPREET SINGH PURI)
raj arora	JUDGE
Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No