

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 38995-2021 (O&M)
Date of Decision: 23.09.2021

(Heard through VC)

Jaswinder Singh

..... Petitioner

VERSUS

State of Punjab

.... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J.(Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner pending trial in FIR No. 63 dated 27.08.2021, under Sections 365, 343, 328, 323, 376 (2)(n), 506, 120-B IPC registered at Police Station Sherpur, District Sangrur.

Learned counsel for the petitioner would contend that the petitioner herein has been falsely implicated in the present case. The petitioner is in custody since 03.09.2021. It is contended that the petitioner was not nominated in the FIR and he has been subsequently nominated as accused on the statement of the co-accused. The only allegation against the petitioner herein is that he had given his motorcycle, which was allegedly used by Sukhbir Singh, the main accused in the abduction. Learned

counsel would argue that his role in facilitating the abduction would be a matter of trial only, which is likely to take time to conclude.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, vehemently opposes the grant of regular bail to the petitioner, while submitting that offence alleged against the petitioner is serious in nature, however, she does not dispute the fact that the petitioner had not been named in the FIR.

I have heard learned counsel for the parties.

The trial is likely to take some time to conclude. The only role attributed to the petitioner is that he gave his motor cycle to be used in the alleged abduction. No useful purpose would be served in keeping the petitioner behind bars any longer. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of concerned trial Court/Duty Magistrate.

Anything observed in this order shall not be construed as an expression of opinion on merits of the case.

23.09.2021

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No