

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

210

CRM-M-35777-2020

Date of Decision: 11.02.2021.

Gujjar Singh @ Gujjar @ Talib Gujjar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Ms. Sukhpreet Kaur, Advocate for petitioner.

Mr. Saurav Khurana, Deputy Advocate General, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Gujjar Singh @ Gujjar @ Talib Gujjar** in case FIR No.37 dated 12.02.2017 under Sections 148, 323, 325, 382, 452, 506 and 511 IPC read with Section 149 IPC, (Sections 201 and 307 IPC added lateron) registered at Police Station Dera Bassi, District SAS Nagar (Mohali).

Reply dated 16/17.12.2020 by way of affidavit of Gurbakshish Singh, PPS, Deputy Superintendent of Police, Dera Bassi, District S.A.S. Nagar (Mohali) on behalf of respondent-State already filed with the Registry of this Court is taken on record.

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. She further urges that co-accused namely Lajar (since deceased) and Anwar alias Gori have already been extended concession of bail by this Court, vide orders dated 17.05.2018 and 08.10.2018 respectively. She further urges that petitioner is in custody since 12.02.2017 and he is no more required by the Police for any investigation purpose. She further submits that challan has been presented in Court and trial has already commenced. She further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have gone through the contents of petition as well as reply furnished at the instance of respondent-State.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 12.02.2017; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and since

consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Gujjar Singh @ Gujjar @ Talib Gujjar** is allowed and he is ordered to be released on bail on his furnishing personal bond and surety bond to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, S.A.S Nagar (Mohali), as the case may be.

(LALIT BATRA)
JUDGE

11.02.2021
jitender/VP

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No