

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CRM-M-41023-2021

Date of Decision : October 06, 2021

Harjit Singh @ Honey

.. Petitioner

Versus

State of Punjab

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. G.K. Mann, Sr. Advocate, with
Mr. Sunil Kumar, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Mr. M.S. Kathuria, Advocate, for
Mr. Rajesh Kapila, Advocate, for the complainant.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.0182 dated 25.08.2018 registered under Sections 302, 506, 148 and 149 IPC at Police Station Jandiala, District Amritsar Rural.

Learned counsel for the petitioner submits that the petitioner has wrongly been roped in the present case and he is behind the bars for the last about two years and therefore, he be granted the benefit of regular bail.

Notice of motion.

Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State and Mr.M.S. Kathuria, Advocate, for Mr. Rajesh Kapila, Advocate, who has also joined the proceedings through video

conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the complainant.

Learned counsel for the respondent-State submits that the petitioner was armed with bodkin (sua) and had pierced the deceased with the same and therefore, once there are specific allegations against the petitioner and specific injury is attributed to the petitioner and as the material witnesses are yet to be examined, the prayer of the petitioner for the grant of regular bail may kindly be rejected.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

This is the second bail petition filed on behalf of the petitioner. The first bail petition was withdrawn after arguing for some time on 09.09.2020. Nothing has been brought to the notice of this Court about the changed circumstances, which has led to the filing of the present petition.

Even otherwise, the allegation against the petitioner is specific that the petitioner was armed with bodkin (sua) and he had pierced the deceased with the same in his back. That being so, coupled with the fact that the material witnesses are yet to be examined, no ground is made out to grant the petitioner the benefit of regular bail as being prayed in the present petition, at this stage.

Dismissed.

It is made clear that nothing observed herein shall be construed to be an expression of any opinion on the merits of the case.

October 06, 2021

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No