

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

**Sr. No.208**

**CRM-M-41355-2020**

**Date of decision: 19.02.2021**

Mukul

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present: Mr. Atul Goyal, Advocate  
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

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**DEEPAK SIBAL, J. (Oral)**

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.32 dated 18.02.2020 registered under Sections 307, 323, 506, 148, 149 IPC and Section 25 of the Arms Act, 1959 at Police Station Jodhewal, District Police Commissionerate Ludhiana.

The petitioner is being prosecuted for being a member of an unlawful assembly which caused fire arm injuries to the complainant.

Learned counsel for the petitioner submits that the petitioner, who is a young boy aged 24 years has been falsely implicated in the case only for the reason that there is another false case foisted upon him for having inflicted simple injuries; the petitioner has been in custody since 21.08.2020; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, no role whatsoever is attributed to the petitioner in the alleged crime; the fire arm injuries are attributed to co-accused Mani Nepali and Baljinder Singh @ Rock; the report under Section 173 Cr.P.C. has already been filed and therefore, the petitioner is not in a position to influence the investigation and the petitioner's trial which is yet to begin is likely to take a long time to conclude especially in the present circumstances when the world is facing the Covid-19 pandemic.

Learned State counsel opposes the grant of bail to the petitioner on the ground that he is accused of serious offences and if released on bail

he may indulge in similar activities.

The petitioner is a young boy aged 24 years; he has been in custody since 21.08.2020; no specific role is attributed to the petitioner in the alleged crime; the report under Section 173 Cr.P.C. has already been filed and therefore, the petitioner is not in a position to influence the investigation and the petitioner's trial which is yet to begin is likely to take a long time to conclude especially in the present circumstances when the world is facing the Covid-19 pandemic.

Keeping in view the totality of the above facts, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Ludhiana, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

**(DEEPAK SIBAL)**  
**JUDGE**

**February 19, 2021**

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Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No