

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42166-2020 (O&M)
Date of decision: 22.02.2021

Bablu @ Bablu Ghoda

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ankit Kharbanda, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.107 dated 26.08.2019 under Sections 307, 452, 506, 427, 148, 149 IPC and Section 25 of Arms Act, registered at Police Station Majitha Road, Amritsar.

Learned counsel for the petitioner relies upon the order dated 27.11.2019 passed in CRM-M-49598-2019, vide which co-accused Ashok Kumar has already been granted the concession of regular bail. The operative part of the order reads as under: -

“...Learned counsel for the petitioner submits that the petitioner is an old person, aged about 60 years and allegations against him in

the FIR are that he has abused the complainant party and no specific injury is attributed to him. It is further submitted that the injury invoking Section 307 IPC is attributed to other co-accused, who are already in custody. Learned counsel further submits that the investigation is complete and the petitioner is in custody for the last three months.

Learned State counsel has filed the custody certificate dated 27.11.2019 in the Court today and has not disputed the fact that the petitioner is not involved in any other case. Learned State counsel, on instructions from ASI Sandeep Kumar, has submitted that the injury attributed to other co-accused is caused by firearm and therefore, Section 307 IPC was added in the FIR.

Without commenting anything on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned...”

Learned counsel for the petitioner further submits that the petitioner is in custody for the last about 10 months and challan stands presented on 07.05.2020, however, till date, charges have not been framed.

Learned State counsel has filed the custody certificate dated 22.02.2021 in the Court today and has not disputed the factual position,

however, it is submitted that the petitioner is involved in three more FIRs.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

22.02.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No