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

**CRM-M-48061-2021 (O&M).
Decided on: November 23, 2021.**

Atul

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Sandeep Sharma, Advocate,
for the petitioner.**

Mr.Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure, seeking regular bail in FIR No.274 dated 19.9.2020, under Section 307, 326, 452, 323, 324, 148 and 149 IPC, registered at Police Station Division No.8, District Police Commissionerate Jalandhar.

It has been argued by the learned counsel for the petitioner that the petitioner is in custody since 20.5.2021 and the investigation of the

case is already complete and challan has been presented before the competent Court. He has further submitted that in the present case no role is attributable to the petitioner and the name of the petitioner was planted at the instance of the complainant namely Baljinder Pal Singh who is an ASI in Punjab police posted in Jalandhar District. He further submitted that petitioner is not a habitual offender and is not involved in any other case and it was only because of the aforesaid mala fide on the part of the serving ASI that the name of the petitioner has been planted. He further submitted that the co-accused namely Navjot Singh @ Mani Sidhu has been granted bail by this Court vide order dated 3.11.2021 (Annexure P-8) passed in CRM-M-35754-2021 and that trial of the case would take long time and considering the background of the petitioner that he is not involved in any other case and is not a habitual offender, he may be granted regular bail.

On the other hand, learned State counsel has submitted that it is correct that the petitioner is in custody since 20.5.2021 and it is also correct that co-accused namely Navjot Singh @ Mani Sidhu has been granted regular bail by this Court and challan has already been presented and so far as the role of the petitioner is concerned, there was no specific injury attributable to the petitioner.

I have heard the learned counsel for the parties.

The petitioner is in custody since 20.5.2021 and admittedly, the petitioner is not involved in any other case and is not a habitual offender. After completion of investigation, the challan has already been presented in the Court. Furthermore, even as per the stand taken by the State, there is no specific injury attributable to the petitioner. Another co-

accused namely Navjot Singh @ Mani Sidhu has already been granted bail by this Court. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with any evidence or may flee from justice.

Therefore, keeping in view the totality of circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner. Accordingly, the present petition is allowed. It is ordered that the petitioner shall be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

November 23, 2021.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No