

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-569-2022
Date of Decision: 17.02.2022

Jatinder Singh and others

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vikas Bali, Advocate, for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.129 dated 28.07.2021, under Sections 307, 324, 323, 506, 148,149,383,384 and 379-B IPC, registered at Police Station City Nakodar, District Jalandhar.

The learned counsel for the petitioners has submitted that the petitioners are in custody from 11.08.2021 and the charges have been framed on 11.02.2022. He further submitted that none of the three petitioners have been named in the FIR and it was only thereafter on disclosure statement the name of the petitioners have cropped up. He further submitted that as per the prosecution the incident was captured in a CCTV Camera but none of the petitioners have been seen in the CCTV footage. He further submitted that the petitioners are not involved in any other case and have clean antecedents and since the trial of the case would take long time, the

petitioners may be granted the concession of regular bail.

On the other hand, Mr. Hittan Nehra, learned Additional Advocate General, Punjab has submitted on instructions from ASI Balwinder Singh that it is correct that the petitioners are in custody from 11.08.2021 and charges have been framed. In so far as the identification of the petitioners in the CCTV footage is concerned, the State counsel has stated on specific instructions that since the persons seen in the CCTV Camera were having muffled faces and their identity has not been ascertained as yet..

I have heard the learned counsel for the parties.

The petitioners are in custody from 11.08.2021 and investigation of the case is already complete. The petitioners are not involved in any other case. The identity of the petitioners are yet to be ascertained as per the learned counsel for the parties. The trial of the case would take long time.

Therefore, without commenting on the merit of the case and considering the totality of circumstance, the present petition is allowed. The petitioners shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned 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 for the purpose of deciding the present petition only.

17.02.2022

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

: Yes/No
: Yes/No