

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

CRM-M-4222-2022

Date of Decision: August 08, 2022

Jarnail Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present:- Mr. Sahil Soi, Advocate for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J.(Oral)

This is the second petition for grant of regular bail in FIR No. 234 dated 27.12.2018, under Sections 307, 34 of IPC (Section 326 IPC added later on) and Section 25 of the Arms Act, 1959, registered at Police Station Nakodar Sadar, District Jalandhar Rural.

As per the case set up, on 27.12.2018, complainant Lakhvir Singh while going on a car was stopped by two persons with muffled faces. One person put the chilly powder in the eyes of the complainant. In the meanwhile, other persons fired upon him. The accused fled the spot.

During investigation, Pawan was arrested and a country made pistol was recovered. He disclosed that the pistol was handed over by Gulwant Singh @ Sabi. Gulwant Singh @ Sabi was arrested and made a disclosure statement naming the petitioner. The role attributed to the petitioner is that he sprinkled chilly powder in the eyes of the complainant.

Learned counsel for the petitioner submits that the petitioner is in custody since 21.07.2020. The complainant was examined and in his deposition, he has not supported the case of the prosecution qua the present petitioner.

Learned State counsel opposes the prayer and submits that the petitioner is involved in two more FIRs.

Without commenting upon the merits of the case or on the deposition of the complainant, considering the custody period; though the investigation is complete yet the conclusion of the trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

August 08, 2022

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(AVNEESH JHINGAN)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No