

RAVI KUMAR

.....Petitioner

VS

STATE OF PUNJAB

...Respodnent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Umesh Kumar Kanwar, Advocate with
Mr. Harsh Chopra, Advocate for petitioner.

Mr. Vipin Pal Yadav, Addl. Advocate General, Punjab.

AVNEESH JHINGAN, J. (ORAL)

This is a third petition for seeking regular bail in case of FIR No.0045 dated 30.03.2021 under Sections 323, 307, 148, 149 and 341 of IPC registered at Police Station Division No.6, Jalandhar, District Jalandhar. The earlier two petitions were withdrawn on 04.08.2021 and 05.10.2021 with liberty to revive the prayer at a later stage.

The brief facts are that FIR was lodged at the instance of Jaskaran. He alleged that on 27.03.2021 he along with his friends went to have snacks, on the way their motorcycle struck with an another motorcycle. Ravi Kumar (petitioner) claiming himself Pradhan came to the spot alongwith Opinder. Petitioner raised lalkara, Bhindi gave an iron rod blow on the head of the complainant and four to five accomplices inflicted injuries.

The learned counsel for the petitioner submits that the petitioner is in custody since April, 2021. It is a case of false implication, the injured has not supported the case of the prosecution qua the petitioner. He has not identified the petitioner in the Court. The petitioner is not involved in any other case.

In this case, the notice of motion was issued on 06.04.2022. The State counsel accepted notice and sought time to have instructions. Today the State counsel on instructions from ASI Satpal Singh submits that he has no instructions with regard to the deposition of the injured.

Without commenting upon the merits of the case and on the deposition made by the victim, considering that the petitioner is in custody since April, 2021; he has no criminal antecedents and the complainant has been examined; though the investigation is complete conclusion of trial is likely to take time, bail is granted to petitioner on furnishing surety bonds to the satisfaction of CJM/Duty Magistrate concerned.

The petition is allowed.

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

29th August, 2022
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(AVNEESH JHINGAN)
JUDGE

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