

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-19060-2022

Date of Decision: 16.8.2022

Yashpreet Singh @ Jassa @ Mau

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.92 dated 25.10.2021 registered for the offences punishable under Sections 379-B, 323, 34, 411 IPC at Police Station Bilga, District Jalandhar.

Counsel for the petitioner submits that FIR in the present case was lodged against unknown persons on the basis of the statement of complainant Hans Raj. He further submits that later on, co-accused Ajay Kumar was arrested in one another case and the present petitioner was nominated as accused in the present case only on the basis of the alleged disclosure made by said Ajay Kumar. He further submits that co-accused Ajay Kumar has already been granted regular bail by the trial Court vide order dated 11.5.2022. Copy of the order is taken on record.

Counsel for the petitioner further submits that no incriminating article was recovered from the possession of the petitioner who is

languishing behind the bars for the last more than 8 months.

Present petition is resisted by the State counsel who on instructions from ASI Harjinder Singh has not refuted the fact that FIR in the present case was registered against unknown persons and that the present petitioner was nominated only on the basis of the disclosure made by co-accused Ajay Kumar who has already been granted regular bail by the trial Court. As per custody certificate, the petitioner is already in custody for the last more than 8 months. Admittedly, the trial is going on and it will take time for conclusion of trial. Thus, no fruitful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

August 16, 2022

Paritosh Kumar

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No