

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22043-2022 (O&M)

Date of Decision: 15.09.2022

Jyoti Singh

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amarpreet Singh, Advocate, for the petitioner.

Mr. Amit Rana, Sr. DAG, 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. 0079 dated 25.05.2020, under Sections 302, 452, 148 and 149 IPC, registered at Police Station Nehianwala, District Bathinda.

The learned counsel for the petitioner has submitted that the petitioner is in custody for about 2 years and 3 months. He submitted that till date even charges have not been framed in the present case and has further submitted that the petitioner has been falsely implicated in the present case only because of the fact that he is the uncle of Arsh Singh to whom the motive was attributed allegedly in the FIR. He further submitted that even the complainant had furnished an affidavit before the Court after 3 days that the petitioner was not involved in this case. He further submitted

that be that as it may, the investigation of the case has already been completed and no further recovery is to be effected from the petitioner and the petitioner is not involved in any other case except for one case under Section 420 IPC. He submitted that in view of the aforesaid facts and circumstances, the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. Amit Rana, learned Senior Deputy Advocate General, Punjab has submitted that it is correct that the petitioner is in custody for about 2 years and 3 months and even till date the charges have not been framed. He submitted that 2 of the co-accused are yet to be arrested in the present and has also submitted that no further recovery is to be effected from the petitioner and also he is not involved in any other case except for one case under Section 420 IPC.

I have heard the learned counsel for the parties.

As per the learned counsel for the parties the petitioner is in custody for about 2 years and 3 months and till date even charges have not been framed by the learned trial Court. The petitioner is stated to be not involved in any other case except for one case under Section 420 IPC. 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 evidence or may flee from justice.

In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant regular bail to the petitioner.

Consequently, the present petition is allowed. The petitioner 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.

15.09.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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