

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No. 34054 of 2020 (O&M)
Date of Decision: 22.12.2022**

Karamjit Singh @ Karma

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Ms. Lavanya Paul, Deputy Advocate General, Punjab

MAHABIR SINGH SINDHU, J.

1. Second petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to the petitioner in FIR No. 81, dated 01.05.2020, under Sections 186, 188, 269, 270, 307, 506, & 120-B of the Indian Penal Code, 1860, and Section 51(b) of Disaster Management Act, 2005, registered at Police Station Mehatpur, District Jalandhar.

2. Allegation are that a *naka* (barricade) was laid at Toll Plaza, Mehtpur by police party. When they gave signal to stop the car (Hundai i20) bearing Regn. No. PB08-DT-5963, its driver instead of stopping the car, with intention to kill, hit against the police officials and ran away. The police party followed the car to the house of accused in Village Jhhugian, P.S. Mehatpur, which was driven by one Amarjit Singh @ Amba and **Karamjit Singh (petitioner herein)** was the co-passenger. Due to doubt of some objectionable substance in the car, the driver as well as co-passenger were apprehended. After searching car in the presence of Sarpanch of village, no illegal substance was recovered. Since, there was curfew,

therefore, both the accused were asked to produce pass for moving during lockdown, but they failed to produce any document and started hurling abuses at the police party. The ladies from their houses, namely, Bhajan Kaur, Jaswinder Kaur and Kulwinder Kaur also started hurling abuses and attacked the police party with the brick bats.

3. This Court, on 21.01.2021, while granting interim bail to the petitioner, passed the following order:-

“ Contends that this is a no injury case.

Learned State counsel seeks time to verify the above contention.

Posted on 01.04.2021.

Let the petitioner be released on interim bail, till the next date of hearing, on his furnishing bail bond and surety bond to the satisfaction of learned trial Court/CJM/Duty Magistrate, concerned. ”

4. Although no one is appearing on behalf of petitioner, but learned State Counsel, upon instructions from ASI Surjit Singh, submits that after grant of interim bail, petitioner is regularly appearing before the Court below and there is no other criminal case pending against him. Further stated that after presentation of challan on 29.06.2020, charges have not been framed as yet against the petitioner. Also acknowledged, upon instructions, that as on today, there is no likelihood of interference with the proceedings before learned trial Court, in case petitioner is granted regular bail.

5. In view of the above, this Court is of the opinion that sending the petitioner in custody at this stage would not serve any purpose.

6. Consequently, the present petition is **allowed** and interim bail granted vide order dated 21.01.2021, is made absolute. Petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.
8. The above observations may not be construed as an expression of opinion on the merits of the case.
9. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

December 22, 2022
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(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>