

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

223

CRM-M-41559-2020 (O&M)

Date of Decision: 23.08.2022

JOGI @ BHAJAN

...Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Kamal Narula, Advocate
for the petitioner.

Mr. Adhiraj Singh, AAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Prayer in the present petition is for grant of regular bail to the petitioner in case bearing FIR No.148 dated 30.04.2020, registered under Sections 307, 341, 382, 148, 149 IPC and Section 25 of the Arms Act, 1959, at Police Station City Ferozepur, District Ferozepur, Punjab.

Learned counsel for the petitioner submits that the petitioner has been in custody since 29.09.2020; that there is a delay of one day in lodging the FIR, inasmuch as, the alleged occurrence took place on 29.04.2020 whereas the FIR was registered on 30.04.2020; that the alleged gun shot injury attributed to the petitioner is little below on the left elbow of the complainant; that the petitioner is a real brother-in-law of the complainant and that a compromise dated 13.11.2020 (Annexure P-4) has been effected between the parties. He further submits that the complainant is also behind the bars in some other case.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner is a habitual offender, inasmuch as, there are multiple cases registered and/or pending against him, though he is on bail in all the cases except one. He further submits that most of the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 29.09.2020. The petitioner is on bail in all the other cases, except one. The petitioner is the real brother-in-law of the complainant. Compromise has already been effected between the parties. Most of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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

23.08.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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