

CRM-M-48059-2021

Date of Decision: 28.03.2022

Dev Darpan @ Kaka

.....Petitioner

Vs.

State of Punjab

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

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

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

This petition has been filed under the provisions of Section 439 of the Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No. 312, dated 10.11.2020, registered at Police Station Division No. 6, Police Commissionerate Jalandhar, for the alleged commission of offences punishable under the provisions of Sections 307/341/323/324/325/326/148/149 of the IPC.

Learned counsel for the petitioner submits that two co-accused of the petitioners, i.e. Rajbir Singh @ Nanu and Arjun, have already been admitted to bail by this court on 15.12.2021, vide orders passed in CRM-Ms-29100 and 26048 of 2021.

He further submits that the petitioner was not even named in the FIR and with this court having noticed in the aforesaid order dated 15.12.2021, to the effect that as per the medical certificate issued by the AIIMS Sanjivani Hospital, Jalandhar, the victim, i.e. Jatinder Kumar had

walked into the office of the Medical Officer and was conscious/well oriented to space in person, the petitioner may also be admitted to bail, he having been in custody since 10.06.2021.

He next submits that the aforesaid accused having been admitted to bail about 04 months after the first petition filed by the petitioner was 'dismissed as withdrawn' on 12.08.2021, the trial still no way near conclusion.

Upon query to learned State counsel, he submits that a '*Sota*' was recovered from the petitioner though of course he could not deny that the main role attributed in the alleged commission of offences is to the aforesaid Rajbir Singh @ Nanu and Arjun.

That being so, without making any comment on the actual merits of the case, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Duty Magistrate/Chief Judicial Magistrate concerned.

March 28, 2022

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(AMOL RATTAN SINGH)

JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No.