

Manjot Singh @ Jota Vs. State of Punjab

Present:- Mr. Jai Bhagwan, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 110 dated 22.09.2020, registered under Sections 308, 324, 323, 325, 201, 427, 506, 148 and 149 IPC, at Police Station Sandaur, District Malerkotla.

Custody certificate dated 21.02.2022 issued by the Superintendent, Sub-Jail, Malerkotla, filed by the learned State counsel in the Court is taken on record.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the petitioner has no concern with the alleged crime, he has been implicated in the present case at the instance of the complainant, who is a the partner of a liquor vendor; that the injury attributed to the petitioner is a stick blow on the outer side of the eye of complainant-Jaspreet Singh; that the petitioner has been in custody since 05/07.10.2021 and that as far as other cases are concerned, the petitioner is on bail in those cases.

Learned State counsel, while vehemently opposing the prayer for bail submits that the petitioner along with other co-accused has actively participated in the crime. The petitioner has been concealing himself for a period of about 01 year and the same caused delay in the investigation. The recovery of stick has already been effected from the petitioner. The petitioner is involved in two other cases. However, he does not dispute the custody period of the petitioner. The prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 05/07.10.2021. In other two case, the petitioner is already on bail. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

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

Since it is specifically mentioned in the petition that though the petitioner is involved in two other cases, yet he is on bail in those cases, but the custody certificate speaks otherwise.

Let an affidavit on this issued be filed by the Superintendent, Sub-Jail, Malerkotla, on or before the date fixed.

Adjourned to 02.05.2022.

01.04.2022

Mangal Singh

(HARNARESH SINGH GILL)
JUDGE