

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

CRM-M-4899-2024
Decided on:-01.03.2024

Baljit Singh @ Bulli

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ripudaman Singh Sidhu, Advocate for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.295, dated 20.11.2019, registered under Sections 307, 34 IPC and Sections 25/27, 54, 59 of the Arms Act, 1959, at Police Station City Tarn Taran, District Tarn Taran.

2. Learned counsel for the petitioner submits that the petitioner has been implicated alongwith 03 other co-accused for having fired bullet shots upon the son of the complainant, namely, Jagandeep Singh, with an intention to kill him. He further submits that the petitioner has been falsely implicated in the present case on the basis of disclosure statement and even nothing has been recovered from the possession of the petitioner, thus, he prays for grant of concession of regular bail.

3. On the other hand, prayer made herein has been strongly opposed at the instance of learned State counsel while referring to the antecedents of the petitioner, who is stated to be involved in 08 more cases, thus, prays for

dismissal of the present petition.

4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

5. In the present case, investigation already stands concluded with the filing of challan, followed by framing of charges, however, out of total 18 witnesses none has been examined so far, whereas the petitioner is already in custody for the last almost 03 years. Moreover, SI Nishan Singh, Police Station City Tarn Taran, who has brought the records submits that even no application apprehending any kind of threat by complainant from the petitioner or his other accomplices has been received by the Investigating Agency. Furthermore, this fact has not been denied by learned State counsel that in other pending cases, the petitioner is already on bail.

6. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further.

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

8. It is made clear that this order may not be construed as an expression of opinion on merits of the case.

01.03.2024
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(HARKESH MANUJA)
JUDGE

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