

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 46579-2023
Date of decision : 25.01.2024

JOBANPREET SINGH

..... Petitioner

versus

STATE OF PUNJAB

..... Respondent

CORAM : HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present :- Mr. R.S. Rai, Sr. Advocate with
Mr. Karan Pathak, Advocate
Mr. Nitish Pathak, Advocate
Mr. Ribhav Singla, Advocate
for the petitioner.

Mr. H.S. Sitta, DAG, Punjab.

SANDEEP MOUDGIL, J. (ORAL)

1. The jurisdiction of this Court has been invoked under Section 439 Cr.P.C., for grant of regular bail to the petitioner in FIR No.0105 (Annexure P-1), dated 02.08.2020, under Sections 302,148,149,120-B,212,216 IPC and Sections 25,27,54 and 59 of Arms Act 1959 registered at Police Station Harike, District Tarn Taran.
2. Learned counsel for the petitioner contends that the injury attributed to the petitioner is using the weapon Datar on the head. Thereafter, two cars namely I-20 and Swift have ran over the deceased wherein he died on the spot.
3. On the other hand, learned State counsel has produced the custody certificate of the petitioner, which is taken on record.

4. Learned State counsel vehemently prays for rejection of the instant petition referring to the injury caused by Datar on the head of the deceased which is directly attributed to the petitioner and is not in a position to controvert the fact that thereafter two cars ran over the person of the deceased at this stage.

5. Be that as it may, considering the custody period suffered by the petitioner i.e. 2 years 3 months, wherein after framing of charges on 27.09.2022, out of total 41 witnesses only 2 have been examined so far, which is suffice to convince this Court that trial is likely to take long time and no useful purpose would be served by keeping the petitioner behind the bars, which would amount to infringement of his right to life and personal liberty, as enshrined under Article 21 of Constitution of India.

6. In view of the above discussions made hereinabove, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

7. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

25.01.2024

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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No