

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

CRM-M No.40923 of 2021

Date of decision : October 05, 2021

Satpal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Manish Kumar Singla, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

The present petition has been filed under Section 439 Cr.P.C. for seeking regular bail to the petitioner in respect of FIR No.162, dated 25.05.2020, registered under Sections 324, 323, 148 and 149 IPC (Sections 307 and 326 IPC were added on 04.08.2020 and Section 325 was added on 26.10.2020) at Police Station City Faridkot, District Faridkot.

Learned counsel for the petitioner argues that as per the allegations alleged in the FIR, the petitioner was armed with a *danda* and gave a blow on the nose of the complainant. Learned counsel submits that the injury attributed to the petitioner is under Section 325 IPC, which a bailable offence and keeping in view the said aspect, the petitioner was extended the bail but thereafter, as Section 307 and 326 were added to the FIR on 04.08.2020, due to which the petitioner was re-arrested.

Learned counsel for the petitioner further argues that as the allegations alleged in the FIR do not relate to invoking of Sections 307 and 326 IPC qua the petitioner, hence the petitioner may be granted the benefit of regular bail as the charges have already been framed.

Learned State counsel, on instructions from ASI Shavinder Singh, submits that the charges have been framed and concedes that the allegation against the petitioner is of inflicting injury on the complainant with a *danda* and the injuries, due to which Sections 307 and 326 IPC have been invoked are attributed to co-accused of the petitioner.

I have heard learned counsel for the parties and have also carefully gone through the record with their valuable assistance.

Once, the petitioner has only been attributed an injury, which relates to a bailable offence, and the fact the petitioner was on bail prior to inclusion of Sections 307 and 326 IPC in the FIR, no useful purpose would be served in keeping the petitioner behind bars during the trial, as the trial is likely to take some time before it concludes

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

October 05, 2021

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No