

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.230

CRM-M-44791-2021

Date of decision : 02.12.2021

Raj Singh @ Raj Kumar

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Sanyam Khetarpal, Advocate, for the petitioner.

Mr.Saurav Khurana, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.86 dated 16.08.2021 registered under Sections 458, 323, 506, 148 and 149 IPC at Police Station Moonak, District Sangrur.

The petitioner is being prosecuted for having trespassed into the complainant's house and thereafter inflicting injuries upon the complainant and his wife.

Seeking regular bail for the petitioner learned counsel submits that the petitioner has been falsely implicated in the present case; he is in custody since 23.08.2021; he has no other criminal case pending against him; even if the case of the prosecution is taken as a gospel truth, though vehemently denied, only simple injuries are attributed to the petitioner; report under Section 173 Cr.P.C. has already been filed and therefore, the petitioner is not in a position to influence the investigation and that the petitioner and the complainant have compromised the matter in pursuance whereof they have filed a petition before this Court being CRM-M-48107-2021 seeking quashing of the FIR in question.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner has trespassed in the complainant's house and thereafter caused injuries to the complainant and his wife.

The petitioner is in custody since 23.08.2021; he has no other criminal case pending against him; report under Section 173 Cr.P.C. has already been filed and therefore, the petitioner is not in a position to influence the investigation; the petitioner is attributed only simple injuries and that the matter between the petitioner and the complainant stands amicably resolved making the chances of the petitioner's conviction extremely bleak.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Sangrur the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

02.12.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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