

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

CRM-M-1288-2022 (O&M)

Date of decision : 04.07.2022

**Charan Preet Singh Anttal
Vs.**

....Petitioner

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. P.S.Ahluwalia, Advocate for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr.DAG, Punjab.

Mr. Vishesh Chandhok, Advocate for the complainant.

MANOJ BAJAJ, J.

CRM-14054-2022

Application is allowed as prayed for.

Annexures P-3 and P-4 are taken on record.

Main case

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.210 dated 28.09.2021 under Sections 307, 324, 148 and 149 Indian Penal Code, 1860 registered at Police Station Pasyana, District Patiala, who is in custody since his arrest on 29.10.2021.

The allegations contained in above FIR, as noticed by the learned Additional Sessions Judge, Patiala in the order dated 24.12.2021 are as under:-

“Perusal of police record produced before the court by ASI Lakhwinder Singh reflects registration of instant FIR on the basis of statement suffered by informant/injured Yuvraj Singh on 28.9.2021, who has reported that on 26.9.2021 at around 11/11.30 AM, he alongwith his friend Jobanpreet Singh and Karan Gajewas were attacked by Simran Singh, Charan Preet Singh (applicant) alongwith Jaideep and two unknown persons in the area of Nawangaon. At the instance of lalkara raised by Jaideep, Simran alongwith another unknown assailant gave fist blows upon the informant. The applicant has been attributed injury with the help of kirch in the abdomen of the informant. The informant has also received another injury on his right shoulder.”

Learned counsel for the petitioner has argued that as per allegations by complainant, the petitioner who was armed with sharp edged weapon had caused injury to the complainant-Yuvraj Singh, which was later on declared dangerous to life. He submits that the other co-accused of the petitioner are on bail and though the investigation of the case is complete, but till date the case has not been committed to Court of Sessions and the trial is yet to commence. According to him, the petitioner is not involved in any other case of similar nature. He prays for bail.

On the other hand, learned State counsel assisted by ASI Jarnail Singh while opposing the prayer has not disputed this fact that the case is yet to be committed to Court of Sessions as the petitioner was not produced before the Magistrate. He submits that the final report was submitted before the Court on 25.01.2022. He has further produced the custody certificate dated 04.07.2022 filed by way of affidavit of Gurcharan Singh Dhaliwal, PPS, Additional Superintendent, Central Jail, Patiala, which indicates that the petitioner is not involved in any other case

of similar nature.

After hearing learned counsel for the parties, considering the above background and custody of the petitioner as well as stage of the trial, this Court is of the opinion that the conclusion of trial is likely to consume considerable time, as charges are yet to be framed, therefore, further detention of the petitioner may not serve any useful purpose, who is presently confined in judicial custody after his arrest on 29.10.2021. Apart from it, the material witnesses are either the injured or police officials and at present there does not seem to be any possibility of their being won over.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

04.07.2022

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