

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

CRM-M-12963-2022
Date of Decision:-**29.08.2022**

CHAMKAUR SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Nandan Jindal, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

-.-

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.105 dated 27.11.2021 registered under Sections 307, 458, 323, 324, 148, 149 IPC at Police Station Khanauri, District Sangrur.

The counsel for the petitioner submits that the FIR in the present case was registered against unknown persons who attacked and caused injuries to complainant-Surinder Singh on 23.11.2021. The counsel for the petitioner further submits that the FIR relating to said incident was registered after delay of 3 days. That after about 1 month of the aforesaid

occurrence, the police recorded the supplementary statement of the complainant, in which the petitioner was named as an accused. The counsel for the petitioner further submits that the petitioner was arrested by the police on 29.1.2022 and is presently lodged in judicial custody. That the recovery has already been effected in this case. The counsel for the petitioner further submits that after completion of investigation police has presented challan but charges are yet to be framed. It will take time for the trial to conclude. The counsel for the petitioner further submits that co-accused Satwinder Singh @ Maula who was also not named in the FIR has been granted concession of interim bail by this Court vide order dated 26.7.2022 having CRM-M-28346-2022.

The present petition is opposed by the State counsel, who submits that the present petitioner was named in the supplementary statement of the complainant and thereafter arrested on 29.1.2022. The State counsel has not refuted the fact that after completion of investigation challan has been presented but charges are yet to be framed. The fact regarding recovery of the weapon and grant of interim bail to co-accused Satwinder Singh @ Maula has also not been refuted by the State counsel.

I have considered the submissions made by counsel for the parties.

Admittedly the FIR in this case was registered against unidentified persons, who assaulted the complainant on 23.11.2021 and the said FIR was registered on 27.11.2021 and thereafter the petitioner was nominated as accused on the basis of supplementary statement of the complainant which was recorded after some gap. The petitioner was

arrested on 29.1.2022 and the police has presented the challan after completion of investigation and the petitioner is lodged in judicial custody. It will take considerable time for disposal of trial after framing of charges. Admittedly co-accused Satwinder Singh @ Maula who was not named in the FIR has already been granted interim bail by this Court vide order dated 26.7.2022. In the given circumstances, no purpose is going to be served by keeping the petitioner in custody for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

29.08.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No