

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

CRM-M-13207-2022

Date of Decision:-**05.08.2022**

HARDEEP SINGH ALIAS GOLU

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Karan Dhawan, Advocate for
Mr. Balbir Singh Jaswal, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

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KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.8 dated 8.1.2021 registered under Sections 379-B, 34 IPC and Sections 25/27 of Arms Act (Section 379-B(2) IPC added later on vide DDR No.15 dated 3.12.2021) at Police Station Majitha, District Amritsar.

The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, which was registered on the basis of statement of Bhola Singh. That as per the allegations in the FIR at the time of alleged occurrence one Sukhwinder Singh also sustained injuries. The counsel for the petitioner submits that both Bhola Singh and Sukhwinder Singh have already been examined during trial and that it will take time for the trial to conclude and as such no purpose is going to be

served by keeping the petitioner behind the bars, who is in custody since 13.10.2021.

The instant petition is opposed by the State counsel, who submits that the petitioner along with two other unknown persons attacked complainant and Sukhwinder Singh and they snatched mobile phone from Sukhwinder Singh. However, the State counsel has not disputed the fact that material witnesses Bhola Singh and Sukhwinder Singh have already been examined and the petitioner is in custody since last 10 months.

I have considered the submissions made by counsel for the petitioner as well as by State counsel.

Admittedly material witnesses namely complainant and Sukhwinder Singh have been examined by the trial Court, so there is no apprehension that if the petitioner is released on bail he is going to influence said two material witnesses. Further the petitioner is in custody for the last about 10 months and it will take time for the trial to conclude. In all the other criminal cases being faced by the petitioner he is recorded to be on bail. So no fruitful purpose is going to be served even if the petitioner is kept in judicial custody for indefinite 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.

05.08.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No