

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

Sr. No.206

CRM-M-16088-2022

Date of Decision: 30.08.2022

Sukhbir Singh alias Ghuki

.....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vaibhav Narang, Advocate
for the petitioner.

Mr. Inderpreet Singh Kang, AAG, Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

The present petition has been filed seeking grant of regular bail in case FIR No.0089 dated 26.04.2020, registered under Sections 307, 326, 325, 324, 201, 120-B and 34 of IPC at Police Station Kamboj, District Amritsar Rural.

Learned counsel for the petitioner argues that in the present case, the allegation against the petitioner is of inflicting a life threatening injury, due to which he has been charged under Section 307 IPC.

Learned counsel submits that the allegation that the said injury was life threatening, is yet to be proved and the petitioner is behind bars for the last more than 02 years and 04 months. Learned counsel for the petitioner submits that as the trial is likely to take some time keeping in view the fact that out of total 17 witnesses, only 4 witnesses have been examined, the petitioner may kindly be granted the concession of regular bail especially when the complainant has already been examined.

Learned State counsel submits that the petitioner is the main accused who had inflicted the injuries upon the complainant/victim on his head and forehead, which were life threatening and therefore, the prayer of the petitioner for the grant of regular bail may kindly be declined.

I have heard learned counsel for the parties and have gone through the records with their able assistance.

It is a conceded position that the complainant, who is also the victim, has already been examined. Out of total 17 witnesses, only 04 witnesses have been examined so far, which includes the complainant. As the allegations against the petitioner are yet to be proved during the course of the trial and the petitioner is already behind bars for the last 02 years and 04 months, no useful purpose would be achieved in keeping the petitioner behind the bars during the entire period of trial as 13 witnesses are yet to be examined.

Learned counsel for the petitioner has undertaken before this Court that in case the petitioner is extended the concession of regular bail, he will not influence the trial or the witnesses in any manner.

Keeping in view the facts and circumstances recorded hereinbefore, the petitioner has made out a case for the grant of concession of regular bail. Accordingly, the present petition is allowed and the petitioner is permitted to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

(HARSIMRAN SINGH SETHI)
JUDGE

30.08.2022

Maninder	Whether Speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No