

CRM-M-16079-2022

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

CRM-M-16079-2022

Date of decision: 16.09.2022

Sajan

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Bhupinder Kumar Gupta, Advocate,
for the petitioner.

Mr. IPS Sabharwal, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.312 dated 10.11.2020, registered at Police Station Division No.6, District Jalandhar, under Sections 307, 324, 323, 341, 148 and 149 IPC.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and rather has been indicted on the disclosure statement of the co-accused; that even in the disclosure statement, there was no specific allegation against the petitioner, and that the petitioner has been in custody since 26.04.2021. Moreover, co-accused, namely, Rajbir Singh @ Nanu, Arjun and Dev Darpan @ Kaka have since been granted the concession of regular bail by the Coordinate Bench, vide orders dated 15.12.2021 and 28.03.2022. On this premise, learned counsel prays that the petitioner be released on bail.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner being member of

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an unlawful assembly, had actively participated in the occurrence; that there were as many as 21 injuries on the person of Jatin Kumar; that on 26.04.2021, Jatin Kumar identified the petitioner to be the person, who was also involved in causing injuries to him, and that a *datar* was recovered from the petitioner.

I have heard the learned counsel for the parties.

The petitioner was not named in the FIR and rather has been indicted on the disclosure statement of the co-accused. As stated above, the co-accused have already been granted the concession of regular bail.

Challan has already been presented. The petitioner has been in custody since 26.04.2021. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

16.09.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No