

**230 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-16555-2022

Date of Decision: 27th April, 2022

Pritam Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Impinder Singh Dhaliwal, Advocate for the petitioner.

Mr. Amit Mehta, Sr. Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

1. This second petition is filed seeking regular bail in case of FIR No. 288, dated 22nd November, 2019, under Sections 308 and 323 of Indian Penal Code, 1860, registered at Police Station Lambi, District Sri Muktsar Sahib. Earlier petition was dismissed as withdrawn on 13th July, 2021.

2. The dispute was between two brothers. As per the case set up, the petitioner demanded money from his brother on Diwali festival, on refusal there was an altercation and injuries were inflicted with the reverse side of the Axe.

3. Learned counsel for the petitioner submits that petitioner remained in custody for three months and twenty eight days. He further submits that petitioner was granted interim bail due to Pandemic situation. He was on interim bail for one year and eleven months and thirteen days and there is no instance of misusing of interim bail.

4. Learned State counsel opposes the prayer for grant of regular

bail.

5. Without commenting upon the merits of the case, considering the relationship between the complainant and the petitioner, as also that there is no allegation of misuse of interim bail, no recovery is to be made from the petitioner and conclusion of the trial is likely to take time, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. The petition is allowed.

7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

27th April, 2022

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No