

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

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CRM-M-20883-2021

Date of decision: 14.12.2022

BIKRAM SINGH @ VICKY

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. K.S. Brar, Advocate
for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

HARNARESH SINGH GILL , J.(ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.97 dated 28.06.2018, registered at Police Station Bhogpur District Jalandhar under Sections 302, 307, 452, 148, 149, 120-B of IPC.

Learned counsel for the petitioner contends that the allegation against the petitioner is that he knocked the door and the same was opened by Jaskaran Kumar @ Sunny. Thereafter, other co-accused Mandeep Singh @ Meepa, Gulshan Kumar, Ruby, Gopi @ Gurpreet and some unidentified persons all with deadly weapon forced to open the door and were having sharp edged weapons started inflicting serious injuries on the complainant as well as Manpreet Singh @ Manni. He further submits the petitioner has knocked the door but was forcibly opened by other co-accused and no injury has been attributed to the petitioner. He contends that the injuries have been attributed to other co-accused, who have already been granted bail. The petitioner has been in custody since 18.08.2019; charges have been framed and prosecution witnesses are yet to be examined. So far other cases pending or registered against the petitioner, the petitioner is either acquitted or has been granted bail.

On the other hand, learned State counsel while opposing the submissions made by learned counsel for the petitioner submits that there are

specific allegations against the petitioner who has participated in inflicting injuries. He submits that the petitioner has knocked the door and after opening of the door the co-accused have inflicted injuries on the complainant as well as Manpreet Singh @ Manni who has succumbed to the injuries. He contends that out of 33 prosecution witness, none has been examined and the petitioner is involved in 9 other cases.

I have heard the learned counsel for the parties.

In the present case, though petitioner has knocked the door, which was opened by the complainant but co-accused forcibly entered and inflicted injuries to the complainant and Manpreet Singh @ Manni, who succumbed injuries in hospital and none of the prosecution witnesses have been examined. No specific injury has been attributed to the petitioner rather not armed with any weapon and petitioner has been in custody since 18.08.2019. In such circumstances, the 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.

14.12.2022

P.Bhatt

(HARNARESH SINGH GILL)**JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No