

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

220

CRM-M-24084-2021 (O&M)

Date of decision: 28.04.2022

NACHHATTAR SINGH

...Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Parteek Gupta, Advocate and
Mr. Vishal Verma, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.30 dated 25.03.2021, registered under Sections 324, 323, 506, 148, 149 IPC and Sections 326, 307 IPC (added later on), at Police Station Moonak, District Sangrur.

Learned counsel for the petitioner submits that the alleged occurrence took place at the spur of the moment; that, though, the FIR was recorded on 25.03.2021, yet the fact remains that on 19.03.2021, the petitioner and the other persons of the Village have moved an application to the Deputy Superintendent of Police, Moonak, against Amrik Singh (the complainant) and others, stating therein the Amrik Singh is trying to dispossess them from the plot in question and that an iron plough injury on the rear side of the head of the injured is attributed to the petitioner. He further submits that the injured was admitted to the Hospital on 24.03.2021 and discharged on 30.03.2021 and that the petitioner has been in

custody since 13.04.2021. Still further, it is submitted that the Examination-in-Chief of the complainant has already been recorded.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel, does not dispute the custody period of the petitioner. He, however, submits that an injury on the vital part of the injured has been attributed to the petitioner and that cross-examination of the complainant is to be recorded and some of the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 13.04.2021. Examination-in-Chief of the complainant has already been recorded. Even as per the report of the Board of Doctors dated 29.09.2021, the injured can walk normally and there is no neurological deformity. Some of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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

28.04.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No