

CRM-M-23023-2022

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

CRM-M-23023-2022

Date of decision: 26.08.2022

Harjinder Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ashok Arora, Advocate,
for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.243 dated 25.09.2021, registered at Police Station Kamboj, District Amritsar Rural, under Sections 307, 323, 324, 326, 148 and 149 IPC.

Status report dated 26.08.2022, by way of affidavit of the Deputy Superintendent of Police, Attari, Amritsar (Rural), filed in the Court today, is taken on record.

Learned counsel for the petitioner contends that the alleged occurrence took place on 23.09.2021 whereas the above-noted FIR was registered on 25.09.2021 i.e. after a period of two days; that injury on the left side of neck of Jasbir Singh, allegedly attributed to the petitioner, has been declared simple in nature; that the petitioner has been in custody since 03.03.2022 and that co-accused, namely, Khajan Singh alias Khazan Singh and Gurpreet Singh alias Jagroop Singh have since been granted the concession of anticipatory bail by this Court, vide orders dated 17.05.2022.

He further contends that charges are yet to be framed and that there is no

CRM-M-23023-2022

other case registered or pending against the petitioner.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner had actively participated in the occurrence and that he had given a *datar* blow on the neck of Jasbir Singh, a close relative of the complainant. However, he does not dispute that the aforesaid injury attributed to the petitioner has been declared simple in nature.

I have heard the learned counsel for the parties.

Admittedly, there is a delay of two days in the registration of the present FIR. The injury attributed to the petitioner has been declared simple in nature. As stated above, the co-accused have since been granted the concession of anticipatory bail.

The petitioner has been in custody since 03.03.2022. 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. Moreover, there is no other case registered or pending against him.

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.

26.08.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No