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

CRM-M-22943-2022

Date of decision:06.08.2022

LOVEPREET SINGH @ LABBI @ LOVEPREET SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. M.S. Nagra, Asst. A.G. Punjab

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 439 of Cr.P.C., wherethrough the present bail petitioner seeks indulgence of regular bail being accorded to him. FIR No.75 of 23.10.2021, constitutes therein offences under Sections 323, 324, 341, 148, 149 of IPC, (under Sections 325, 326 of IPC added lateron vide DDR No.20 of 06.12.2021), and, is lodged at Police Station Nandgarh, District Bathinda, thereins the commission of the incriminatory offences are attributed to the bail petitioner.

2. The incriminatory role, as assigned to the present petitioner is that, he was an active member of an assaulting unlawful assembly inasmuch as, his striking sword blows on the knee, as also on the head of the victim.

3. Be that as it may, since the learned State counsel on instructions given to him, by ASI Mehanga Singh submits that, during the course of investigations of the petition FIR, he has ensured his making recovery of the crime sword, to the investigating officer concerned, besides also submits that,

the condition of the victim-complainant is completely stable. Since also he further submits, that the investigations into the petition FIR are complete, thereupon, since the judicial incarceration of the accused has commenced since 06.12.2021, hence this Court does not deem it fit, and, appropriate to prolong it any further, as thereupon his personal liberty would become unnecessarily fettered, and, curtailed.

4. The further reason which constrains this Court, for admitting the present bail petitioner to regular bail becomes comprised in the factum that, at this stage, no evidence has been adduced by the prosecution, suggestive that in the event of the bail petitioner being admitted to regular bail, there is every likelihood of his fleeing from justice or tampering with prosecution evidence or influencing the prosecution witnesses.

5. Consequently, it is not necessary to prolong the judicial incarceration of the bail petitioner-applicant. The instant petition is allowed, and, the bail petitioner-applicant is ordered to be released from judicial custody. However, the granting of bail to the bail petitioner-applicant, is subject to his furnishing personal, and, surety bonds in the sum of ₹50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, his not influencing prosecution witnesses, and, besides also his appearing before the trial Court concerned, as and when directed to make his personal appearance unless validly exempted.

6. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

06.08.2022

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ITHLESH KUMAR
2022.08.06 18:53
I attest to the accuracy and
authenticity of this order

Whether speaking/reasoned:- Yes/No
Whether reportable: Yes/No