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

CRM-M-29728-2022

Date of decision : 29.11.2022

Dupinder Singh @ Siltu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sukhcharan Singh Gill, Advocate for
Mr. J.S Warring, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

Ms. Prabhjot Kaur, Advocate for the complainant.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of regular bail to the petitioner in FIR No.55 dated 20.04.2020 registered under Sections 307, 323, 148, 149 of Indian Penal Code, 1860 (Section 325 of IPC has been added later on) at Police Station Raman, District Bathinda.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 12.09.2021 and investigation is complete and challan has been presented and there are 21 prosecution witnesses, out of which, only one witness has been examined as yet and thus, the conclusion of trial is likely to take time. It is further submitted that the petitioner is not involved in any other case and as per the allegations levelled in the FIR, the

present petitioner, alongwith one Gagandeep Singh, is stated to have given injuries on the back of father of the complainant i.e. Amarjeet Singh with an iron rod. It is contended that neither any specific injury has been attributed to the present petitioner to Amarjeet Singh nor any injury has been attributed to the petitioner having been caused to any other injured person.

On the other hand, learned State Counsel and learned counsel for the complainant, have opposed the present petition for grant of regular bail to the petitioner and have submitted that in the present case, four persons have been injured who are Amarjeet Singh, Gurwinder Singh, Navdeep Singh and Gurbinder Kaur. It is further submitted that injury No.4 suffered by Amarjeet Singh has been declared to be dangerous to life and that injured Gurwinder Singh has also suffered two grievous injuries and injured Navdeep Singh has suffered five injuries and Gurbinder Kaur has suffered four injuries although, the said injuries have been declared to be simple in nature.

Learned counsel for the petitioner, in rebuttal, has submitted that no injury has been attributed to the petitioner having been inflicted upon Gurwinder Singh, Navdeep Singh, Gurbinder Kaur or upon Amarjeet Singh.

This Court has heard learned counsel for the parties and has perused the paper book.

Keeping in view the abovesaid facts and circumstances more so the facts that the petitioner is in custody since 12.09.2021 and investigation is complete and challan has been presented and out of 21 prosecution witnesses, only one witness has been examined as yet and thus, the

conclusion of trial is likely to take time and the fact that the petitioner has not been attributed any injury having been caused to Gurwinder Singh, Navdeep Singh or Gurbinder Kaur and it is the petitioner and co-accused Gagandeep Singh, who, have jointly been attributed the injury caused to Amarjeet Singh and also the fact that the petitioner is not involved in any other case, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, subject to him not being required in any other case.

However, it is made clear that in case, any act is done by the petitioner to threaten the complainant or any of the witnesses, then it would be open to the State to move an application for cancellation of bail granted to the petitioner.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

29.11.2022*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**