

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101+203

CRM-25256, 25257 & 22373-2022 in/&
CRM-M-27747-2022
Date of Decision :27.07.2022

Baljinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.L. Chander Shekhar, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Rakesh Gupta, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

CRM-25256, 25257 & 22373-2022

As prayed for, applications are allowed.

CRM-M-27747-2022

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.68 dated 21.05.2021 registered under Sections 326, 324, 323, 506, 148 & 149 of the IPC (Section 307 of the IPC and Section 25 of the Arms Act deleted and Section 326 of the IPC added later on) at Police Station Shambhu, District Patiala.

Learned counsel for the petitioner argues that the petitioner has wrongly been accused of the allegations as alleged in the present FIR and rather the complainant, who has already been examined, has not specifically

pointed out any injury suffered by him, which is stated to be grievous in nature to be attributed to the petitioner. Learned counsel for the petitioner submits that the co-accused namely, Satpal Singh has already been granted the benefit of regular bail by this Court in CRM-M-41848-2021 dated 08.10.2021 and, therefore, as the complainant has already been examined and the petitioner is behind the bars since 11.09.2021, the petitioner may kindly be extended the concession of regular bail.

Learned State counsel submits that though, the complainant has already been examined and Section 307 of the IPC has already been deleted from the FIR but, the allegation alleged against the petitioner relates to inflicting of grievous injuries upon the complainant.

Learned counsel for the complainant submits that the petitioner in fact had inflicted injuries upon the complainant but concedes the fact that the complainant has already been examined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

In the present case, as per the status of the trial, the complainant has already been examined and out of total 24 witnesses, only 02 witnesses have been examined. Once, the complainant has already been examined, it cannot be said that the petitioner will be in a position to influence the trial. Even otherwise, learned counsel for the petitioner has undertaken before this Court that the petitioner will not obstruct the trial or influence the witnesses, whose statements are yet to be recorded in any manner and in case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

Keeping in view the facts and circumstances of the present case noticed hereinbefore as the trial is likely to take some time before it concludes, no useful purpose will be achieved in keeping the petitioner behind the bars hence, the petitioner has made out a case for the grant of concession of regular bail.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

July 27, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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