

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

CRM-M-28279-2022 (O&M)
Date of decision: 11.07.2022

Sukhjinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vikas Gupta, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG Punjab.

Mr. G. S. Salana, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this second petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 99 dated 20.06.2020 registered under Sections 302, 506, 148 and 149 IPC, at Police Station Chohla Sahib, District Tarn Taran.

Learned counsel for the petitioner submits that all the allegations against the petitioner are false and frivolous; that so far as the injuries on the person of deceased-Major Singh are concerned, there were as many as five injuries as per the PMR and were caused with blunt weapon; that as per the allegation, the petitioner was armed with sword but no specific injury has been attributed to him; that the petitioner has been in custody since 26.06.2020 and that similarly placed co-accused Baljinder Singh, has already been granted regular bail by this Court, vide order dated 20.05.2022.

He further submits that charges have already been framed but the

prosecution witnesses are yet to be examined. There is no other case against the petitioner.

Learned State counsel assisted by the learned counsel for the complainant, while vehemently opposing the prayer for bail, submits that the petitioner and co-accused have inflicted as many as five injuries on the person of the deceased. However, he does not dispute the custody period of the petitioner and that there is no other case against the petitioner. He submits that the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 26.06.2020. No specific injury has been attributed to the petitioner and as per the PMR, all the injuries on the person of the deceased were blunt. Similarly placed co-accused is on regular bail. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Moreover, there is no other case against the petitioner. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

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

(HARNARESH SINGH GILL)
JUDGE

11.07.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No