

**214 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
CRM-M-29238-2022 (O&M)
Date of Decision: 12th December, 2022**

Rajveer Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. P.S. Sekhon, Advocate for the petitioner.
Mr. Arun Luthra, DAG, Punjab.

AVNEESH JHINGAN , J.(Oral)

1. This petition is filed seeking regular bail in FIR No. 278, dated 9th November, 2021, under Sections 307, 458, 323 and 506 read with Section 34 of Indian Penal Code, 1860 (for short 'IPC) and Sections 459, 325 of IPC and Section 25 of Arms Act, registered at Police Station Lehra, District Sangrur.

2. Learned counsel for the petitioner claims parity with co-accused Magh Singh who was granted regular bail by this court on 24th May, 2022. He submits that petitioner is in custody since 27th November, 2021 and Section 307 IPC was invoked on the basis of intention and no injury was declared dangerous to life.

3. The following order was passed by this Court on 24th May, 2022 in CRM-M-16277 of 2022:-

“Petitioner is seeking regular bail in case of FIR No.278 dated 9.11.2021, under Sections 307, 458, 323, 506, 34 IPC and Section 459, 325 IPC (added lateron) and Sections 25 of Arms Act, 1959, registered at Police Station Lehra, District Sangrur.

The FIR was registered at the instance of Ranjit Singh. As per the allegations, on 8.11.2021 Rajveer Singh was standing in the street outside the house of his brother and complainant objected. The incident flared up, injuries were inflicted by both the parties. There is a cross version of the incident reported by DDR No.60 dated 9.11.2021 at the instance of Rajveer Singh.

Learned counsel for the petitioner submits that the petitioner is in custody since 3.12.2021. The injury attributed to the petitioner was declared simple in nature. No recovery is to be made. Investigation is complete. Petitioner is not involved in any other case.

Learned State counsel opposes the prayer and submits that the injury was inflicted on the head of Ranjit Singh.

Without commenting upon the merits of the case, having conspectus of the fact, moreso the injury attributed to the petitioner was declared simple, no recovery is to be made, petitioner has no criminal antecedents, albeit, investigation is complete conclusion of trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the main case has been decided, the pending application, if any is rendered infructuous."

4. Learned counsel for the State though opposes the prayer for grant of bail but on instructions fairly submits that challan has been presented. He is not in a position to distinguish the case of the petitioner qua the co-accused so far as grant of bail is concerned.

5. Without commenting on the merits of the case, on the basis of parity of petitioner vis-a-vis co-accused so far as grant of bail is concerned, considering that petitioner has no criminal antecedent and though the investigation is complete conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. The petition is allowed.

7. However, it is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition is allowed, pending applications, if any, is rendered infructuous.

**(AVNEESH JHINGAN)
JUDGE**

12th December, 2022

Parveen Sharma

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No