

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

CRM-M-28358-2020

Date of Decision: 23.03.2022

Sahil Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vikram Satpal Anand, Advocate, for
Mr. L.M.Gulati, Advocate, for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab,
assisted by ASI Naresh Kumar.

Mr. Kushagra Mahajan, Advocate,
for the complainant.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.108 dated 17.05.2020 at Police Station Kathu Nangal, District Amritsar, under Sections 307/323/324/148/149/188 IPC (Sections 326/120-B IPC added later on), wherein the petitioner alongwith other accused is alleged to have inflicted injuries to Bunty (injured), who was found to have sustained as many as 19 injuries. The petitioner, as per FIR, is alleged to be carrying a '*datar*'.

2. On the last date of hearing i.e. 17.02.2022, the following order was passed:

“During the course of arguments, learned counsel representing petitioner-Sahil Singh submitted that the petitioner at the time of

occurrence was 25 kms away from the place of occurrence and that CCTV footage collected from the cameras/DVR installed in the house of Manjit Singh, which is situated at a distance of about 25 kms from the place of occurrence, clearly indicates the presence of the petitioner at the said place at the time of occurrence.

Learned counsel submits that the CD containing the said CCTV footage had also been furnished to Investigating Officer, but the same somehow is not refer to in the report filed under Section 172 Cr.P.C. The matter is adjourned to 23.3.2022.

The petitioner counsel to furnish a copy of the CD/pen-drive pertaining to the CCTV footage in question to the learned State counsel who shall get it examined from the authorities concerned and submit a report in this regard on the next date of hearing.

A photocopy of this order be placed on the connected case.”

3. Today, learned State counsel upon instructions has informed that as on the date and time of occurrence, the petitioner has been found to be present at Sewa Nagar, Amritsar, which is around 29 Kms. away from the place of occurrence. Learned State counsel has also informed that the petitioner as on date has been behind bars since the last about 1 year & 8 months and that he is not involved in any other case.
4. In view of the aforestated position, wherein the presence of the petitioner is rendered doubtful and he has, otherwise, been behind bars for a substantial period of about 1 year & 8 months, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of

learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

5. It is, however, made clear that none of the observations made above shall be taken to be an expression on merits of the main case. The petitioner would have to establish the authenticity of the CD, which has been relied upon in the present bail application, in case he choses to lead defence evidence in respect of the same.

23.03.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**