

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-30465-2022 (O&M)
Date of Decision:-2.11.2022

Amrinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Anu Bala, sister of the petitioner.

ASI Ranjit Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.0139, dated 22.5.2022, Police Station Chandani Division No.6, District Police Commissionerate, Ludhiana, under Sections 379-B, 341, 353, 186, 323, 506, 148, 149 of Indian Penal Code.
2. The FIR was lodged at the instance of Sepoy Baldev Singh, wherein it is alleged that on 21.5.2022 at about 11:30 p.m., when he alongwith Senior Constable Paramjit Singh was patrolling near Chet Singh Nagar, then Senior Constable Paramjit Singh walked towards '*Mandi*'. It is alleged that Sarpreet Singh accompanied by 10-12 other persons was standing there. When the complainant started questioning them on the basis of suspicion, they all surrounded him and started giving beatings to him with sticks and hockeys.

When the complainant raised alarm, the residents of the locality gathered there and thereafter the said assailants took away the car of the complainant bearing registration No.PB-11-BC-4848 and fled away from the spot.

3. It is the case of the petitioner that he has falsely been implicated in the instant case and that he is nowhere named in the FIR. The petitioner is stated to be aged about 18 years. His date of birth as per his Aadhar Card is 17.5.2004. The petitioner is also stated to be a student.
4. ASI Ranjit Singh, who is present in Court alongwith police file, has informed that it was on the basis of supplementary statement of said Sepoy Baldev Singh, the petitioner came to be nominated as an accused and since he was part and parcel of the unlawful assembly, his complicity is clearly evident particularly when the complainant was found to have sustained as many as 9 simple injuries. He has further informed that although the petitioner had earlier been enrolled as a student in Industrial Training Institute, Ludhiana but later on account of his absence, his name was struck off the rolls and he was rusticated vide order dated 4.7.2022. It has been informed that the petitioner has been behind bars since the last more than 5 months and challan already stands presented. It has also been informed that the petitioner otherwise is not involved in any other case.
5. This Court has considered the case of the petitioner as well as the stand put forth on behalf of the State.
6. It is not in dispute that the petitioner is not specifically named in the FIR and came to be nominated on the basis of supplementary statement of the complainant. Investigation already stands concluded and challan has been

presented. The petitioner has been behind bars for a substantial period of more than 5 months. The petitioner is a young boy aged about 18 years and is not stated to be involved in any other case. In these circumstances, further detention of the petitioner will not serve any useful purpose.

7. 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.

2.11.2022

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No