

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

CRM-M-32702-2022 (O&M)
Date of Decision: 2.8.2022

Amandeep Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Gurpal Singh Sandhu, Advocate, for the petitioner.
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Rajesh Bhardwaj, J. (ORAL)

CRM-26407-2022

Allowed as prayed for.

Main case

Prayer in the present petition is for the grant of regular bail to the petitioner in a case FIR No.17 dated 16.2.2022, registered under Sections 452, 395, 380, 354-B, 148, 149, 323, 427, 201 IPC (Section 379-B IPC was added lateron), at Police Station Bariwala, District Sri Muktsar Sahib.

As per factual matrix of the case, the FIR in question was lodged by complainant Gagandeep Kaur. It was alleged that her marriage was fixed for 19.2.2022 and on account of the same, a number of relatives had gathered at their home. At about 6:00 p.m., a number of persons duly armed trespassed into their house and thereafter, caused damage to the property and looted the gold articles. Her modesty was also outraged. FIR was lodged to take legal action against the culprits.

The investigation commenced and the petitioner was arrested

on 17.2.2022. He approached the learned Addl. Sessions Judge, Sri Muktsar Sahib for grant of bail, however, after hearing the parties, the same was declined vide order dated 12.7.2022. Aggrieved by the same, the petitioner has approached this Court by way of filing the present petition for grant of bail.

Learned counsel for the petitioner vehemently contends that the petitioner has been falsely implicated in the present case on account of the party fractions in the village. He submits that the occurrence had taken place during the on going assembly elections. He submits that on the basis of a concocted version, the present FIR has been lodged to implicate the maximum members of the rival party. He submits that one co-accused, namely, Davinder Singh has already been granted regular bail by this Court vide order dated 1.8.2022 passed in CRM-M-12727-2022. He further submits that in the overall facts and circumstances of the case, the petitioner deserves to be enlarged on bail.

On the other hand, learned State counsel has submitted that initially 12 accused were named in the FIR and the names of rest of 12 accused were surfaced during investigation. He submits that name of the petitioner has been specifically mentioned in the FIR, wherein he has been stated to be armed with *kirpan*. He submits that besides the present case, the petitioner is involved in two more cases, in which he is on bail.

Heard.

Admittedly, the petitioner is behind bars since 17.2.2022. Learned State counsel has submitted that the petitioner is involved in two other cases, in which he is on bail. In all there are 24 accused in the present case as submitted by learned State counsel and challan against the accused

persons has also been presented. This Court would refrain itself from commenting on the merits of the case, as the allegations and counter allegations would be assessed only after evaluation of the complete evidence led by both the sides before the trial Court. The trial would take sufficiently long time for its conclusion. The co-accused, namely, Davinder Singh has already been granted regular bail by this Court vide order dated 1.8.2022 passed in CRM-M-12727-2022.

In the overall facts and circumstances of the case, I am of the opinion that learned counsel for the petitioner has been able to make out a case for grant of regular bail to the petitioner. The trial is likely to take time in its conclusion. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail to the satisfaction of the concerned trial Court/Duty Magistrate.

Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

2.8.2022
sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No