

CRM-M-36115-2021
CRM-M-24252-2022

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215

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

**CRM-M-36115-2021
Date of Decision: 17.08.2022**

Manjit Singh Petitioner

Versus

State of Punjab Respondent

CRM-M-24252-2022

Adarshpal Singh Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Abhishek Singla, Advocate,
for the petitioner in CRM-M-36115-2021.

Mr. A.S. Kakkar, Advocate,
for the petitioner in CRM-M-24252-2022.

Mr. R.S. Thind, DAG, Punjab.

Mr. H.P.S. Ishar, Advocate,
for the complainant.

JASGURPREET SINGH PURI, J. (ORAL)

Both the petitions have been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioners and are being taken up together for final disposal with the consent of the learned counsel for the petitioners, since both the petitions arise out of the same FIR bearing FIR No.59 dated 20.06.2021, under Sections 307, 341, 323, 148 & 149 IPC and Sections 25 & 27 of the Arms Act, registered at Police Station Sadar Rampura, District Bathinda.

Learned counsels for the petitioners have submitted that the petitioner-Manjit Singh is in custody since 29.06.2021 whereas petitioner-Adarshpal Singh is in custody since 24.07.2021 and both the petitioners have faced incarceration for more than one year. They further submitted that investigation of the case has been completed and challan has also been presented before the Competent Court but the charges have not been framed. They also submitted that the petitioners have got clean antecedents and are not involved in any other case. They further submitted that both the petitioners are not named in the FIR and their names have been nominated on the basis of disclosure statement of the co-accused. They also submitted that no recovery is to be effected from the petitioners and the trial of the case may take long time, therefore, the petitioners may be considered for the grant of regular bail.

On the other hand, Mr. R.S. Thind, learned DAG, Punjab has stated that it is correct that the petitioner-Manjit Singh is in custody since 29.06.2021 and the petitioner-Adarshpal Singh is in custody since 24.07.2021 and no recovery is to be effected from them and they have got clean antecedents and are not involved in any other case. He further submitted that after the completion of the investigation, the challan has been presented before the competent Court and although there was a cross-version DDR as well but the Police has already filed a cancellation report which is pending before the learned Magistrate.

Mr. H.P.S. Ishar, Advocate has caused appearance on behalf of the complainant and has opposed the grant of regular bail to the petitioners on the ground that the injuries have been received by the complainant and

other persons also got injured, and therefore, the petitioners are not entitled for the grant of regular bail.

I have heard the learned counsel for the parties.

Both the petitioners have faced incarceration for more than one year. As per the learned counsels for the parties, investigation of the case has been completed and the petitioners are not involved in any other case. As per the learned counsels for the parties, the petitioners were not named in the FIR and they were nominated on the basis of disclosure statement of the co-accused. Furthermore, it is not the case of the State that in case the petitioners are released on bail then they may abscond or flee from justice or may influence any witness, therefore, in view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant bail to both the petitioners.

Consequently, both the petitions are allowed and the petitioners, namely, Manjit Singh and Adarshpal Singh are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

17.08.2022

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |