

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

CRM-M-32297-2022

Date of Decision:-**10.10.2022**

LAKHVIR SINGH @ LAKHA PALWAN

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Sunny Kumar Singla, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

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KARAMJIT SINGH, J. (Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.183 dated 21.7.2021 registered for the offences punishable under Sections 307, 323, 324, 325, 326, 427, 452, 506, 201, 148, 149 IPC at Police Station Kotwali Nabha, District Patiala.

Counsel for the petitioner *inter-alia* contends that as per record, injury caused by the petitioner was found to be simple in nature and that the petitioner is in custody for the last more than 6 months and is having no criminal antecedents and that the complainant/injured has already been

examined during the trial. That co-accused namely Rajinder Kumar @ Rajat and Gurjinder Singh have already been given benefit of regular bail by this Court vide orders dated 21.7.2022 having CRM-M-20067-2022 and CRM-M-46158-2021. So prayer is made for grant of regular bail to the petitioner.

Present petition is opposed by the State counsel who submits that the petitioner is facing trial under Section 307 IPC along with his co-accused. However, State counsel on instructions from ASI Chamkaur Singh has not refuted the fact that only simple injury has been attributed to the petitioner, who is in custody for last more than 6 months and is having no criminal history and that the complainant has already testified in the trial Court and co-accused Rajinder Kumar and Gurjinder Singh are granted concession of regular bail.

I have considered the submissions made by the counsel for the parties.

As per custody certificate furnished by the State counsel, the petitioner is in custody for the last more than 6 months and is not involved in any other criminal case. As has been admitted by the State counsel only simple injury has been attributed to the petitioner caused with sharp-edged weapon. As the complainant has already been examined, there is no apprehension that if released on bail, the petitioner will influence him. Further, it will take time for the trial to conclude. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on

bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10.10.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No