

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

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CRM-M-32944-2022 (O&M)

Date of Decision: 28.09.2022

RAM SINGH

...Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vishal Khatri, Advocate for the petitioner.

Mr. Subhash Godara, Additional Advocate General, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.243 dated 25.09.2021, registered under Sections 307, 323, 324, 326, 148 and 149 IPC; Section 326 IPC (added) and Section 325 IPC (deleted later on), at Police Station Kamboj, District Amritsar.

Learned counsel for the petitioner submits that the injury attributed to the petitioner is simple in nature; that though, initially the petitioner was granted ad-interim anticipatory bail by this Court on 14.02.2022, yet the petitioner was not able to join the investigation due to unavoidable circumstances; that accordingly, the anticipatory bail petition was dismissed on 12.05.2022 and that the petitioner has now been in custody since 13.05.2022. He further submits that there is a delay of two days in lodging the FIR and that co-accused, namely, Harjinder Singh, has already been granted the concession of regular bail by this Court on 26.08.2022.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that some of the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 13.05.2022. As per the learned counsel for the petitioner, the injury attributed to the petitioner is not on the vital part and simple in nature. Though, the petitioner was granted ad-interim anticipatory bail by this Court, yet he was not able to join the investigation due to unavoidable circumstances. Co-accused has already been enlarged on bail. Some of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

28.09.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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