

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

CRM-M-34842-2022 (O&M)

Date of decision: 16.08.2022

Veer Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. A.S. Manaise, Advocate for the petitioner.

Mr. Tanvir Joshi, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 91 dated 16.04.2021, registered under Sections 341, 342, 350, 364, 365, 506, 511 IPC read with Section 34 IPC, at Police Station Sadar Amritsar, Police District Commissionerate Amritsar, District Amritsar.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the petitioner was not named in the FIR; that the only allegation against the petitioner is that he was the part of *Dharna* laid down at the hospital, as Gurmeet Singh-brother of co-accused Sukhdev Singh had died due to negligence of the Doctor; that co-accused Sukhdev Singh, who was specifically named in the FIR has already

been granted regular bail and similarly placed co-accused Satnam Singh, has already been granted interim bail by this Court vide orders dated 01.06.2022 and 21.07.2022 respectively; that as far as other two cases against the petitioner are concerned, he is on bail in those cases and that the petitioner has been in custody since 03.07.2022.

Learned counsel for the petitioner further submits that the alleged occurrence took place in the year 2017, whereas the present FIR was lodged in the year 2021 and that co-accused Sukhdev Singh has moved an application/complaint dated 27.05.2017 to the concerned Police seeking legal action against the complainant.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner was the part of the *Dharna* and he along with other co-accused had tried to kidnap the complainant and also restrained him from approaching the police and snatched his mobile. The petitioner is involved in two more cases. However, he does not dispute the custody period of the petitioner. He submits that challan has been presented and prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 03.07.2022. The petitioner was not named in the FIR. Co-accused Sukhdev Singh, who was specifically named in the FIR has already been granted regular bail and similarly placed co-accused Satnam Singh, has already been granted interim bail by this Court vide orders dated 01.06.2022 and 21.07.2022 respectively. There is a delay of more than 04 years in lodging the FIR. The prosecution

witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

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

(HARNARESH SINGH GILL)
JUDGE

16.08.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No