

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

211

CRM-M-35542-2022

Date of decision : 18.08.2022

Harwant Singh

Petitioner

V/S

State of Punjab

Respondent

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Vipur Aggarwal, Advocate
for the petitioner.

Mr. M.S. Nagra, Asstt. A.G., Punjab
for he respondent-State.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.124 dated 01.09.2019 registered under Sections 452, 379-B, 427, 148, 149, 506 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Ranjit Avenue, District Police Commissionerate Amritsar to which Sections 379 B(2) and 201 of the IPC were added lateron.

The above-said FIR was registered on statement of Barkat Masih who alleged that on 01.09.2019 at about 9:00 p.m. 15-20 young persons (including the petitioner), who were holding dandas, baseball bats and iron roads in their hands, entered into his house and damaged the household articles. One accused-Tarsem Singh snatched his mobile phone and the remaining accused came out of his house and damaged his car. When he raised alarm, the accused fled away from the spot.

Learned counsel for the petitioner has submitted that the

petitioner has been falsely implicated in the present case. The allegations made in the complaint are general in nature. No specific role has been attributed to the petitioner and no article has been recovered from him. Co-accused Bheema has already been granted the concession of regular bail by the trial Court. The petitioner is in custody since 26.04.2022. Challan has been presented in the Court but charges are yet to be framed. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be released on regular bail.

On the other hand, learned State counsel has opposed the present petition on the grounds that the petitioner along with other co-accused has committed a serious offence. Custody certificate dated 17.08.2022 has been filed by learned State counsel in the Court which is taken on record.

Keeping in view the facts and circumstances of the case, nature of accusation, the fact that no specific role attributed to the petitioner and the fact that the trial is likely to take long time but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner-Harwant Singh is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

18.08.2022

kothiyal

(ASHOK KUMAR VERMA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No