

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

CRM-M-41612-2020 (O&M)

Date of decision: 25.04.2022

Karandeep Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Veneet Sharma, Advocate for the petitioners.

Mr. Ajay Pal Singh Gill, DAG Punjab.

Mr. Naresh Kaushik, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Prayer is for grant of regular bail to the petitioners in case bearing FIR No.43 dated 01.05.2020, registered under Sections 302, 326, 324, 323, 148, 149 IPC, at Police Station Gharinda, Amritsar Rural, District Amritsar, Punjab.

At the very outset, learned counsel for the petitioner does not press the petition qua petitioner No. 2, at this stage. Accordingly, the petition qua petitioner No. 2 is dismissed as not pressed.

Learned counsel for the petitioner submits that though a sword injury on the left hand, on the person of Balkaran Singh, (who has not been medically examined), has been attributed to petitioner No.1, yet the same is simple in nature; that he has been in custody since 20.07.2020 and that challan stands presented but no prosecution witness has been examined, so far.

Learned State counsel assisted by the learned counsel for the complainant, opposes the prayer for bail. However, they do not dispute the custody period of the petitioner and that the injury attributed to the petitioner being simple in nature. It is further submitted that the petitioner and co-accused had formed an unlawful assembly and assaulted the deceased and his companions.

Learned counsel for the petitioner further submits that though the challan has been presented, yet out of 35 prosecution witnesses, none has been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 20.07.2020. The injury attributed to the petitioner is simple in nature. The challan has been presented. DDR No. 25 dated 08.05.2020, under Sections 307, 336, 323, 148, 149, 120-B IPC and Sections 25 and 27 of the Arms Act, was recorded against the complainant party, in a case of cross version. 35 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 petitioner No. 1- Karandeep Singh, 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.

25.04.2022

Mangal Singh

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No