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

CRM-M-41934-2022(O&M)
Date of Decision:- 16.11.2022

Gurpal Singh

... Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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

Mr. C.L. Pawar, AAG, Punjab.

Mr. Ashish Aggarwal, Advocate
for the complainant.

KARAMJIT SINGH, J. (Oral)

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No. 51, dated 03.08.2021 under Sections 307, 325, 324, 323, 201, 34 IPC registered at Police Station Khem Karan, District Taran Taran.

The counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case and he is behind the bars for last more than five months. He further submits that the petitioner is having no criminal history. He further contends that otherwise also only simple injuries are attributed to the petitioner that too on non-vital parts of

the body of Avnit singh and Sukhwinder Kaur- complainant, that as per cross-version the opposite party caused grievous injuries to co-accused Gurmail Singh. He further submits that co-accused namely Gurmail Singh has been granted regular bail by this Court vide order dated 04.07.2022 (Annexure P-9). So, prayer is made that petitioner be also granted concession of regular bail.

Notice of motion.

On asking of the Court, Mr. C.L. Pawar, AAG, Punjab accepts notice on behalf of the State. While Mr. Ashish Aggarwal, Advocate has put in appearance on behalf of the complainant. The State counsel and counsel for the complainant have submitted that specific injuries are attributed to the petitioner who is named in the FIR. The State counsel on instructions from ASI Gural Singh has not refuted the fact that only simple injuries have been attributed to the petitioner and further co-accused namely Gurmail Singh has been given benefit of the regular bail vide Annexure P-9. He also apprised this Court that after completion of the investigation, challan has been presented but charges are yet to be framed.

I have considered the submission prayed by the counsel for the parties.

There is a cross-version also as per which the opposite party caused injuries to co-accused Gurmail Singh and the copy of concerned DDR No.30 dated 07.08.2021 is (Annexure P-7). In the present case, only simple injuries have been attributed to the present petitioner, who is lodged in custody for the last more than five months and is having no criminal antecedents. Further, after completion of the investigation, the police has

presented challan but trial is yet to commence and even after the framing of charges, considerable time for the trial to conclude. Further, co-accused Gurmail Singh has been given the benefit of bail vide order dated 04.07.2022 Annexure P-9.

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.

16.11.2022
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(KARAMJIT SINGH)
JUDGE

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