

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-46158-2021

Date of Decision: 21.7.2022

Gurjinder Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Abhinav Gupta, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.183 dated 21.7.2021 registered for the offences punishable under Sections 452, 324, 323, 427, 506, 148, 149 IPC (Section 307 IPC added later on) at Police Station Kotwali Nabha, District Patiala.

Counsel for the petitioner *inter alia* contends that as per allegations, injury which was caused by the present petitioner with blunt side of sword on the left arm of the injured was found to be grievous in nature which is covered under Section 325 IPC and that the petitioner is in custody for the last more than 10 months and is having no criminal history and that the complainant/injured has already been examined during the trial. So, prayer is made for grant of regular bail to the petitioner.

Present petition is opposed by the State counsel who submits that the petitioner is facing trial under Section 307 IPC along with his co-

accused. However, State counsel admitted the fact that the complainant has already been examined in the trial Court and that the grievous injury caused with blunt weapon has been attributed to the present petitioner.

I have considered the submissions made by the counsel for the parties.

As per custody certificate furnished by the State counsel, the petitioner is in custody for the last more than 10 months and is not involved in any other criminal case. As per allegations, grievous injury attributed to the petitioner was caused by blunt weapon. The complainant has already been examined. So, there is no apprehension that if released on bail, the petitioner will pressurize and won over the complainant.

It will take time for conclusion of trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

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.

(KARAMJIT SINGH)
JUDGE

July 21, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No