

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

237

CRM-M-42588-2022 (O&M)

Date of Decision: 28.09.2022

SHAMSHER SINGH @ SHERA

...Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ankit Kharbanda, Advocate
for the petitioner.

Mr. Subhash Godara, Additional Advocate General, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.243 dated 25.09.2021, registered under Sections 307, 323, 324, 326, 148 and 149 IPC; Section 326 IPC (added) and Section 325 IPC (deleted later on), at Police Station Kamboj, District Amritsar Rural.

Learned counsel for the petitioner submits that the injuries attributed to the petitioner are on the non-vital part and simple in nature; that co-accused, namely, Harjinder Singh, has already been granted the concession of regular bail by this Court on 26.08.2022 and that the petitioner has been in custody since 13.05.2022. He further submits that there is a delay of two days in lodging the FIR and that some of the prosecution witnesses are yet to be examined.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that some of the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 13.05.2022. As per the learned counsel for the petitioner, the injuries attributed to the petitioner are not on the vital part and simple in nature. Co-accused have already been enlarged on bail. Some of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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

28.09.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>