

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212

CRM-M-44798 of 2022

Date of Decision:11.11.2022

Nirmal Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Gursimran Singh Bawa, Advocate,
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.54 dated 21.04.2022, under Sections 341, 325, 34 IPC (Section 308 IPC added later on), registered at Police Station Shri Hargobindpur, Police District Batala, District Gurdaspur.

It has been submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated in the present case and he has clean antecedents and he is not involved in any other case. He submitted that in the present case the role attributed to the petitioner was causing injuries by a wooden stick on the right leg of the injured which is a non-vital part of the body and submitted that the police has already completed the investigation and thereafter the final report under Section 173 of the Code of Criminal Procedure has already been presented to the competent Court. He submitted that the petitioner is in custody

from the last three months and four days and the trial of the case may take long time and therefore he may be considered for the grant of regular bail.

On the other hand, Mr. Kunal Vinayak, learned AAG, Punjab has stated that it is correct that the petitioner is in custody from the last three months and four days and the investigation of the case has already been completed and the challan has been submitted to the competent Court. He further stated that the petitioner is not involved in any other case and no recovery is to be effected from the petitioner.

I have heard the learned counsel for the parties.

The petitioner has already faced incarceration for three months and four days and the police has already completed the investigation. The petitioner is stated to be not involved in any other case as per the learned counsel for the parties. Furthermore, it is not the case of the State that in case the petitioner is released on bail, then he may influence the witness or tamper with evidence.

In view of the aforesaid position, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

(JASGURPREET SINGH PURI)
JUDGE

November 11, 2022
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No