

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-45355-2022

Date of decision : 11.10.2022

Gurpreet Singh @ Gopi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Sahiv Vashishat, Advocate
for the petitioner.

Mr.Ramdeep Partap Singh, Sr.DAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR no.50 dated 23.07.2022 registered under Section 326, 324, 323, 294 IPC at Police Station City Raikot, District Ludhiana.

Learned counsel for the petitioner has submitted that the petitioner has been in custody since 23.07.2022 and the investigation is complete and the challan has already been presented and there are 12 witnesses and since the charges have not been framed, the trial is likely to take time. It is further submitted that the petitioner is not involved in any other case. It is stated that there was an inordinate delay in registration of the FIR inasmuch as the alleged incident was of 07.06.2022 and the FIR had been got registered on 23.07.2022. It is further stated that out of the 4 injuries suffered by the complainant on his left hand, 3 injuries have been declared as simple in nature and 1 injury, which has been declared as

injury, nor the three other simple injuries, have been suffered on vital parts of the body.

Learned State counsel, on the other hand, has opposed the present petition for regular bail and has submitted that the petitioner with the stick (toka) had caused 4 injuries on the left hand of the complainant out of which injury no.2 has been declared as grievous and the said weapon (toka) has been recovered from the present petitioner.

This Court has heard learned counsel for the parties and has perused the paper book.

The petitioner has been in custody since 23.07.2022 and the investigation is complete and the challan has already been presented and there are 12 witnesses and since the charges have not been framed, the trial is likely to take time. The petitioner is stated to be not involved in any other case. The incident was of 07.06.2022 and the FIR had been got registered on 23.07.2022. All the injuries caused to the complainant are on a non vital part of the body i.e., left hand. Out of the 4 injuries suffered by the complainant, 3 injuries have been declared as simple in nature and 1 injury i.e., injury no.2 is declared grievous in nature, which is also on the finger of the left hand i.e., a non vital part of the body.

Keeping in view the above said facts and circumstances, 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 concerned trial Court/ Duty Magistrate and subject to him not being required in any other case.

However, it is made clear that in case, any act is done by the petitioner to threaten or influence the complainant or any of the witnesses,

then it would be open to the State to move an application for cancellation of bail granted to the petitioner.

Nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

October 11, 2022
Davinder Kumar

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