

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

207

**CRM-M-47822-2022(O&M)
Decided on : 21.10.2022**

Gurjant Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. J. S. Jaidka, Advocate
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail to the petitioner – Gurjant Singh, who has been booked for having committed the offence punishable under Sections 323, 324, 506, 148 and 149 IPC (Section 326 IPC added later on), in FIR No. 115 dated 07.07.2022, registered at Police Station Dakha, District Ludhiana.

Learned counsel for the petitioner submits that four of the co-accused have already been granted anticipatory bail, however, injury attributed against the petitioner on the right arm of the injured- Dharamjit Singh, has attracted Section 326 IPC. Counsel further submits that petitioner is inside jail since 28.08.2022 and nothing more requires to be recovered from him. Learned counsel for the petitioner further submits that matter in hand is triable by the Court of learned Magistrate and there is no possibility of early conclusion of the trial as report under Section 173 Cr.P.C. is yet to be presented. Thus, prays, regular bail for the petitioner.

Per contra, while opposing the prayer made by learned counsel

for the petitioner, learned State counsel submits that petitioner is the main accused and does not deserve any sympathy and has undergone custody period of 01 month 20 days, only. However, he does not dispute the fact that the other co-accused has already been released on anticipatory bail by the Court of Sessions.

On being asked by the Court, State counsel, on instructions from ASI Preetam Singh, submits that investigation is almost complete and challan will be presented before the concerned court, very soon. He also informs this Court that after being treated, injured has already been discharged from the hospital.

I have considered the submissions of both the sides, and perused the material available on record with their able assistance.

In view of the factual aspects coupled with the reasons that the case is triable by the Court of learned Magistrate and there is no possibility of early conclusion of the trial, and also nothing is require to be recovered from the petitioner, no purpose would be served by keeping him inside jail. Moreover, as stated by learned State counsel that final report is likely to be presented before the Court very soon, I deem it appropriate to enlarge the concession of bail to the petitioner.

In view of the aforementioned facts and circumstances of the case and the submissions recorded hereabove, present petition is **allowed**. Petitioner is ordered to be released on bail in this case, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or

indirectly.

The observation made here-in-above shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of evidence available on record.

However, it is made clear that in future if the petitioners are found involved in any other case of similar nature, respondent-State would be at liberty to take necessary steps for cancellation of bail granted to the petitioners in present case.

(SANJAY VASHISTH)
JUDGE

October 21, 2022
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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*