

229 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-53650-2021

Date of decision: 1st February, 2022

Prem Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Gopal Singh Nahel, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This fourth petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 60, dated 13.04.2019, under Sections 308, 323, 506, 148, 149 IPC and Section 307, 324, 325, 341 IPC added lateron, registered at Police Station City-1, Sangrur, District Sangrur. As per the counsel for the petitioner, the earlier two petitions were dismissed as withdrawn and third petition was disposed of with liberty to approach the Sessions Court.
3. The FIR was result of an incident that took place on 12.04.2019. Raj Kumar was inflicted injuries by Gurpreet Singh @ Bhairo, Gurchant Singh, Jaswant Kaur @ Nana, Prem Singh @ Premi(petitioner) Roop Singh, Jasvir Kaur, Vijay Kumar and Gurmukh Singh @ Guri. The role attributed to the petitioner is that he tried to give Axe blows on the head but ultimately inflicted injuries on arm and leg of Raj Kumar.

4. Learned counsel for the petitioner submits that petitioner is in custody since 03.05.2019. Co-accused Balkar Singh was granted bail by this Court on 04.03.2021. The contention is that injuries attributed to the petitioner are on non vital part. None of the injury was declared dangerous to life and only four prosecution witnesses have been examined till date.

5. Learned State counsel opposes the prayer for grant of regular bail, submits that petitioner is involved in two more cases. He further submits that injured sustained fourteen injuries. He in view of the deposition of Doctor is not in a position to dispute the fact that injuries are not dangerous to life.

6. Without commenting upon the merits of the case or on deposition of the Doctor, considering the custody period and the fact that out of nineteen prosecution witnesses only four have been examined. The custody is of two years, eight months and twenty-three days and co-accused was granted bail by this Court, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

1st February, 2022
Parveen Sharma

1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No