

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

221

CRM-M-51294 of 2022

Date of Decision:11.11.2022

Inderpal Singh @ Sunny

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Anil Chaudhary, 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.62 dated 24.05.2022, under Sections 307, 326, 324, 323, 148 and 149 IPC, registered at Police Station Daba, Police Commissionerate Ludhiana.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 14.07.2022. He 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 there is no specific role attributed to the petitioner even as per the FIR and he is not involved in any other case and in view of the aforesaid position, the petitioner may be considered for the grant of regular bail since the trial of the case may take long time.

On the other hand, Mr. Kunal Vinayak, learned AAG, Punjab has stated, on instructions from ASI Abhinash, that it is correct that in the present case although the petitioner is in custody from the last about four months and the challan has been submitted to the competent Court, but considering the gravity and seriousness of the matter, the petitioner does not deserve the concession of regular bail. He submitted that it is a case where 10-12 persons jointly caused injuries to the complainant which resulted in 35 injuries on his body including head and has also referred to the contents of the FIR wherein it has been stated that the reason for causing of injuries was that sometime ago the complainant had a minor altercation with Rahul Ghora, his brother Mani Khachar and Sunny (the present petitioner). He submitted that the petitioner was a part of the unlawful assembly consisting of 10-12 persons who had caused the serious injuries upon the complainant and there is likelihood that in case the petitioner is released on bail then he may abscond from justice or even may influence the witness and tamper with evidence.

I have heard the learned counsel for the parties.

It is a case where the custody of the petitioner is four months. Although the investigation of the case has been completed but the allegations against the petitioner are grave in nature. It is a case where as per the allegations 10-12 persons collectively caused 35 injuries upon the complainant and the name of the petitioner has been mentioned in the FIR itself wherein it has been recorded that the complainant had a minor altercation with the petitioner and some of the other co-accused on a trivial matter some time ago before the present occurrence.

In view of the aforesaid position and the apprehension expressed by

the learned State counsel and also considering the gravity of the offence that in case the petitioner is released on bail then he may abscond or may even influence the witness, cannot be ignored and does carry weight. Therefore, the present petition being devoid of any merit, is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expresion 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
dinesh

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No