

CRM-M-52804-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-52804-2022

Date of decision: 22.11.2022

Sukhchain Singh

...Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. Harpal Singh Sidhu, Advocate,  
for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

**HARNARESH SINGH GILL, J. (ORAL)**

Through this petition, the petitioner seeks regular bail in case FIR No.30 dated 03.05.2022, registered at Police Station Kabirpur (Ahali Kalan), District Kapurthala, under Sections 307, 435, 427, 148 and 149 IPC and Sections 25 and 27 of the Arms Act, 1959.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR, but has been implicated in the present case on the supplementary statement of Mehnga Singh; that no injury has been attributed to the petitioner; that it is a case of version and cross-version and it is yet to be ascertained as to which party was the aggressor one; that one of the accused, namely, Gurmukh Singh had also received fir-arm injury, and that the petitioner has been in custody since 04.05.2022. So far as another case registered against the petitioner, is concerned, he has been released on anticipatory bail therein by the Court of Session.

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On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner being a member of the unlawful assembly, had actively participated in the occurrence.

I have heard the learned counsel for the parties.

The petitioner was not named in the FIR. He has been indicted in the present case on the supplementary statement of the complainant. Moreover, no injury has been attributed to the petitioner. It is a case of version and cross-version and it is yet to be ascertained as to which party was the aggressor one.

Challan has been presented. The petitioner has been in custody since 04.05.2022. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. So far as another case registered against the petitioner, is concerned, he has since been released on anticipatory bail therein by the Court of Session. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

**22.11.2022**

parveen kumar

**(HARNARESH SINGH GILL)**  
**JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No