

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

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**CRM-M-55623-2022 (O&M)
Date of decision: 06.12.2022**

Gurdev Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. H.S. 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 submits that the petitioner has falsely been implicated in the present case; that though the FIR is registered under Sections 307, 435, 427, 148 and 149 IPC and Sections 25 and 27 of the Arms Act, 1959, yet no injury has been attributed to the petitioner; that similarly placed co-accused Sukhchain Singh has already been granted regular bail by this Court vide order dated 22.11.2022, whose name was involved on the basis of supplementary statement of Meghna Singh-complainant; that no recovery was/is to be effected from the petitioner; that

the petitioner has been in custody since 03.05.2022 and that as far as other cases against the petitioner are concerned, he is on bail in those case.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner has actively participated in the occurrence and was a member of the unlawful assembly. However, he does not dispute the custody period of the petitioner. He submits that the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 03.05.2022. No injury has been attributed to the petitioner. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take a long time. Moreover, in other cases, the petitioner is on bail and similarly placed co-accused Sukhchain Singh has already been granted bail by this Court. Hence, 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 petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

06.12.2022
Mangal Singh

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