

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

252

CRM-M-56802-2022 (O&M)

Date of Decision: 09.12.2022

MALKEET SINGH @ BINDA

...Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. KS Brar, Advocate
for the petitioner.

Mr. Pankaj Khullar, AAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.103 dated 24.07.2022, registered under Sections 307, 324, 323, 109, 148 and 149 IPC, at Police Station Nathana, District Bathinda.

Learned counsel for the petitioner submits that though the petitioner was alleged to be holding a dang, yet no injury has been attributed to him; that the grievous injury attracting Section 307 IPC is not attributed to the petitioner; that the petitioner has been in custody since 24.07.2022; that the challan has been presented and that there is no other case registered and/or pending against him.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner has

specifically been named in the FIR, with allegation that he along with the other co-accused have attributed fatal blows on the stomach and legs of the injured.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 24.07.2022. No specific injury has been attributed to the petitioner. There is no other case registered and/or pending against the petitioner. Prosecution evidence is yet to commence. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, 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/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

09.12.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*