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

**CRM-M-57158-2022
Date of Decision: 20.12.2022**

Adrit Nidhi Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amandeep Singh Manaise, Advocate
for the petitioner.

Mr. Jashandeep Singh, AAG, Punjab.

Mr. Nimish Gautam, Advocate for
Mr. Dheeraj Mahajan, Advocate,
for the complainant.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.11 dated 26.01.2022, under Sections 307, 341, 148, 149, 323, 324, 325 & 326 IPC, registered at Police Station Taragarh, District Pathankot.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 16.11.2022 and it is a case where the name of the petitioner was not mentioned in the FIR and later on, on the basis of supplementary statement made by one of the injured, namely, Yadwinder Saini his name was nominated and even as per the supplementary statement

of the aforesaid injured, the role attributable to the petitioner was only giving fist blows and no injury or grievous injury has been caused by the present petitioner and even if assumingly he was a part of unlawful assembly and has referred to Annexure P-2 in this regard. He also submitted that the petitioner is involved in two more cases out of which in one case he has already been acquitted and in another case which is under Section 323 IPC, is a bailable offence. He further submitted that no recovery is to be effected from the petitioner, and therefore, has prayed that the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. Jashandeep Singh, learned AAG, Punjab has stated that it is correct that the petitioner is in custody since 16.11.2022 and as per the supplementary statement of the injured, the role attributable to the petitioner was giving fist blows vide Annexure P-2. He further submitted that it is also correct that as of now, the petitioner is involved in only one more case as stated by learned counsel for the petitioner.

I have heard the learned counsel for the parties.

The present is a case where the name of the petitioner was nominated thereafter, on the basis of supplementary statement of the injured and even as per Annexure P-2, the role attributable to the petitioner was giving fist blows. No recovery is to be effected from the petitioner. Furthermore, it is not the case of the State nor it has been argued by the learned State counsel that in case the petitioner is released on bail then he may abscond or flee from justice or may influence the witness or may tamper with the evidence. Therefore, this Court deems it fit and proper to

grant regular bail to the petitioner.

Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

20.12.2022

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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