

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

CRM-M-393-2023

Date of Decision: March 21, 2023

HARPREET SINGH

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. L.S. Sidhu, Advocate for petitioner.

Mr. Tarun Aggarwal, Sr. D.A.G. Punjab.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of bail pending trial in case FIR No.117 dated 20.09.2022 registered at P.S. City Dhuri, District Sangrur, under Sections 307, 341, 323, 506 and 34 of IPC.

Learned counsel for the petitioner submits that investigation in the present case already stands concluded with the filing of challan on 15.12.2022 followed by framing of charges on 06.03.2023 and the matter is now listed for recording of prosecution evidence for 03.04.2023. He further submits that the petitioner is already behind the bars for almost six months now and no useful purpose is going to be served by extending his incarceration. In addition, learned counsel also points that the incident in question took place on account of a sudden altercation between son of the petitioner and the complainant namely Jashandeep Singh for which the petitioner as well as his family are sincerely feeling apologetic.

On the other hand, learned State counsel assisted by

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Sh. Kulwinder Singh Lakhanpal, Advocate appearing for the complainant submits that the only apprehension of the complainant is about repetition of similar incident as the complainant is a young boy having already lost his father is living under a constant threat from the family of the petitioner.

I have heard learned counsel for parties and gone through the paper-book. I find substance in the submissions made on behalf of learned counsel for petitioner.

Considering the fact that petitioner is behind the bars for a period of almost 6 months now, the investigation already stands concluded, even charges have been framed and the trial is now fixed for recording of prosecution evidence, as such, no useful purpose is going to be served by extending the incarceration of the petitioner. In addition, as regards the apprehension of threat expressed by the complainant, it may be pointed out here that the wife of petitioner namely Paramjeet Kaur, who is present in Court and has been identified by learned counsel for petitioner has also shown her concern towards the safety of complainant and has assured him that no such incident will ever happen again.

Without commenting upon merits of present petition, the same is allowed subject to furnishing of adequate bail bonds/surety bonds by the petitioner to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

21.03.2023
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(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>

