

CRM-M-1185-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1185-2023
Date of decision: 20.02.2023

Ritik

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Dr. Sumati Jund, Advocate,
for the petitioner.

Ms. Ishma Randhawa, Additional AG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Status report dated 13.02.2023, by way of affidavit of the Assistant Superintendent of Police, Sub Division Dera Bassi, Tehsil Dera Bassi, District SAS Nagar, Mohali, filed in the Court today, is taken on record.

Through this second petition (the first one having been dismissed as withdrawn on 16.05.2022), the petitioner seeks regular bail in case FIR No.144 dated 13.08.2021, registered at Police Station Lalru, District SAS Nagar, under Sections 307, 323, 324, 382, 511 and 34 IPC.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR; that the petitioner alongwith co-accused has been indicted on the supplementary statement of the complainant; that no injury has been attributed to the petitioner; that the petitioner has been in custody since 21.09.2021 and that the prosecution witnesses are yet to be

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examined. So far as other cases registered against the petitioner, are concerned, he has been released on bail therein.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner had actively participated in the commission of the offence and that there are other cases, including the one under the NDPS Act, registered or pending against the petitioner. However, learned State counsel does not dispute that out of 15 prosecution witnesses, none has been examined so far.

I have heard the learned counsel for the parties.

The petitioner was not named in the FIR. He has been indicted on the supplementary statement of the complainant. No injury has been attributed to the petitioner.

The petitioner has been in custody since 21.09.2021. Out of 15 prosecution witnesses, none has been examined so far. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. So far as other cases registered against the petitioner, are concerned, he has been released on therein.

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.

20.02.2023

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No