

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

211

CRM-M-5256 of 2023
DATE OF DECISION:-07.02.2023

Navjot Singh

...Petitioner

vs.

State of Punjab and others

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. T. S. Attariwala, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Saurabh Singla, Advocate, for respondents No.2 to 4.

HARKESH MANUJA, J.

By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, petitioner prays for grant of bail pending trial in case FIR No.345 dated 15.11.2022 under Sections 307, 34 of IPC, registered at Police Station Division B, Police Commissionerate Amritsar, Punjab.

Learned counsel for the petitioner submits that the petitioner is a young boy of 25 years of age earning his livelihood by working as an electrician. Learned counsel submits that petitioner was on a visit to Golden Temple, wherein, he got himself involved in the aforementioned FIR on account of sudden conflict with the complainants/injured. Learned counsel further submits that the parties have already settled their dispute now, as the petitioner and other assailants have tendered their apology to the injured persons and thus, prays for concession of regular bail.

On the other hand, learned State counsel submits that this is a case of version and cross version and investigation is still pending. Besides it,

Mr. Saurabh Singla, Advocate, appears on behalf of respondents No.2 to 4 and accepts the factum of apology having been tendered by the petitioner to the injured/respondents No.2 to 4.

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

The petitioner is young boy of 25 years of age earning his livelihood by working as electrician. Better sense having prevailed, he has even tendered apology to the injured/respondents No.2 to 4, who in turn have forgiven him for the mistake committed by him. Considering the aforesaid, extension of incarceration of the petitioner would in fact cause prejudice to him who is in fact first offender.

Without commenting anything on the merits, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

However, nothing expressed hereinabove shall be construed as an expression on the merits of the case.

07.02.2023.
anil

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No