

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

**CRM-M-5239-2023
Decided on:-18.04.2023**

Karamjit Singh @ Ballu

....Petitioner..

VS.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Amit Arora, Advocate,
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA J.

By way of present petition filed under Section 439 Cr.P.C, prayer has been made for grant of regular bail pending trial in case FIR No.249 dated 27.09.2021, under Sections 307, 323, 324, 341, 336, 148, 149 IPC and Sections 25, 27 of Arms Act, 1959 (offence under Section 336 IPC and Sections 25/27 of Arms Act stands deleted, however, offence under Section 201 IPC added later on) registered at Police Station City Tarn Taran, District Tarn Taran.

As per the allegations levelled in the FIR, the petitioner gave datar blow on the back side of the head of the injured-Sunny Singh.

Learned counsel for the petitioner submits that the petitioner is in custody for the last 9 months and 24 days now and the investigation in the present case already stands concluded with the filing of challan, followed

by framing of charges on 28.03.2023, however, none of the prosecution witnesses has been examined so far, thus, the trial is likely to take some time. He further submits that the injury attributed to the petitioner has been declared to be simple in nature as per MLR.

On the other hand learned State counsel opposes the prayer made on behalf of the petitioner while submitting that there are serious allegations against the petitioner.

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

Considering the fact that the petitioner is behind the bars for the last 9 months and 24 days now, the investigation in the present case already stand concluded with the filing of challan followed by framing of charges, however, none of the prosecution witnesses has been examined so far and trial is likely to take some time, besides it, the injury as per the opinion of the doctor has been declared to be simple in nature, I do not find any reason to extend the incarceration of the petitioner any further.

In view of the above, without expressing any opinion on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

18.04.2023

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/ No