



2023:PHHC: 129044

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

111 CRM-M-5903-2023 (O&M)
Date of decision: 05.10.2023

Gagandeep Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Prateek Sodhi, Advocate for the petitioner.
Mr. Ravinder Singh, AAG, Punjab.

FIR No.	Dated	Section/s	Police Station
96	09.05.2022	307, 323, 506, 34 IPC & Section 25 of Arms Act	Chheharta, District Amritsar

VIKAS SURI, J.

CRM-36859-2023

This is an application for preponing the date of hearing of the main case to an early date.

Learned counsel for the petitioner submits that the present application has been rendered infructuous as the main case is also listed for today. He, thus, prays to withdraw the same.

Dismissed as withdrawn.

CRM-36860-2023

This is an application for placing on record copy of MLR

dated 08.05.2022 as Annexure P-3 and the medical opinion dated 04.11.2022 of the Corporate Hospital, Amritsar with regard to injury suffered by the complainant on his left hand as Annexure P-4.

Notice of the application.

Mr. Ravinder Singh, AAG, Punjab, accepts notice on behalf of respondent-State.

Accordingly, for the reasons mentioned in the application, same is allowed. Annexures P-3 and P-4 are taken on record, subject to all just exceptions.

CRM stands disposed of.

CRM-M-5903-2023

[1] The petitioner has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in the above-captioned case.

[2] Learned counsel for the petitioner has contended that the petitioner is innocent and has been falsely implicated in the present case; as per allegations, the petitioner gave an injury with sickle that landed on the left hand/arm of the complainant whereas as per medical opinion dated 04.11.2022 (Annexure P-4), no treatment was given for left hand injury to the complainant; investigation is complete; *challan* stands presented; conclusion of trial would take time; petitioner is in custody since 07.11.2022 and no useful purpose would be served by further detaining him for an indefinite period.

[3] Learned State counsel has filed the custody certificate dated 04.10.2023 of the petitioner, which is taken on record. A copy thereof furnished to learned counsel for the petitioner. Learned State counsel

opposes the present bail application stating that since there are serious allegations against the petitioner, therefore, he is not entitled to bail.

[4] I have heard learned counsel for the parties and considered the rival contentions.

[5] Keeping in view the period of incarceration and the fact that the trial is yet to commence inasmuch as the charges have not yet been framed as per status report dated 26.04.2023 filed on behalf of the State. Though the petitioner is involved in another FIR, however, he is stated to be on bail in the said case. Therefore, it can safely be inferred that conclusion of trial will take considerable time and no useful purpose would be served by further detaining the petitioner behind bars. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail during the pendency of trial, on furnishing bail-bond and surety to the satisfaction of the Area Magistrate/Trial Court/Duty Magistrate concerned.

[6] It is, however, made clear that the petitioner shall not influence the trial in any manner directly or indirectly and shall not leave the country without prior permission of the trial Court.

[7] The observations made herein-above shall not be construed as an expression of opinion on the merits of the case.

October 05, 2023

sumit.k

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes / No

Whether Reportable : Yes / No