

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

210

CRM-M-6373 of 2023
DATE OF DECISION:-10.02.2023

Harbhagwan Singh alias Popa

...Petitioner

vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Inderjit Sharma, Advocate, for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

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.171 dated 19.09.2022 under Sections 341, 379-B, 452, 324, 323, 506, 120-B, 34 of IPC, registered at Police Station Kotbhai, District Sri Mukhtsar Sahib (Annexure P-1).

Learned counsel for the petitioner submits that petitioner is a young boy of 22 years of age and already in custody for the last more than 3 months now and the investigation already stands concluded with the filing of challan on 05.02.2023. Learned counsel further submits that the main allegations in the FIR have been against Lovepreet Singh @ Labhu who has been granted concession of anticipatory bail being juvenile, thus prays for grant of regular bail to the petitioner.

On the other hand, learned State counsel opposes the prayer made herein while submitting that petitioner has been involved in one more case of similar nature and petitioner even gave sharp edged injury upon the

person of injured as well.

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.

In the facts of the present case, petitioner is a young boy of 22 years of age who has already suffered incarceration for a period of more than 3 months. In addition to that Investigation already stands concluded and the trial is likely to take some time and even the alleged injury attributed to the petitioner has been found to be simple in nature, thus, taking into consideration the facts mentioned above the petitioner deserves the concession of regular bail.

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.

10.02.2023.
anil

(HARKESH MANUJA)
JUDGE

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