

In the High Court of Punjab and Haryana at Chandigarh
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CRM-M-8478-2023

Date of Decision: 21.03.2023

Gurjant Singh and another

---Petitioners

versus

State of Punjab

---Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. A.S.Sekhon, Advocate,
for the petitioners
Mr. Amish Sharma, AAG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

The petitioners, through instant petition under Section 439 Cr.P.C., are seeking regular bail in FIR No. 393 dated 17.09.2022 under Sections 295/354-B/324/323/506/148/149 of IPC, registered at Police Station City Faridkot, District Faridkot.

Status report by way of affidavit dated 20.3.2023 of DSP, Sub Division, Faridkot, District Faridkot, is taken on record. Registry is directed to tag the same at appropriate place.

Learned counsel for the petitioners inter alia contends that the allegation against the petitioners is that they have beaten the husband of the complainant. There is no specific allegation against the petitioners qua commission of offence punishable under Section 354-B and 295 IPC and there is only allegation of commission of offence punishable under Section 323 and 324 IPC. The petitioners are more than 65 years old. The petitioners are not involved in any other offence.

Learned counsel further submits that co-accused stand released on regular bail and challan stands presented, thus, no useful

purpose would be served by putting the petitioners behind the bars rather it would cause humiliation and harassment to the petitioners. The petitioners have been wrongly implicated in the commission of alleged offence. The petitioners are permanent resident of District Faridkot and staying with their family members. The petitioners have deep roots in the society. There is no possibility of flee from justice.

Learned counsel for the State submits that there are all possibilities that petitioners after getting bail would not face proceedings before the trial court.

In view of the fact that challan stands presented and co-accused(s) stand released on regular bail by this Court, the present petition deserves to be allowed and accordingly allowed. The petitioners shall surrender before the trial court within a week and on their appearance before the trial court, the trial court is requested to release them on bail on their furnishing bail/surety bonds to its satisfaction.

To allay apprehension of learned State counsel, the trial court while accepting bail bonds is requested to mention in the order that in case of non-appearance of the petitioners, on any ground except specifically exempted by trial court, the bail shall be cancelled.

21.03.2023

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(JAGMOHAN BANSAL)**JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No