

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M No.20205 of 2022
Date of Decision: 30.01.2023**

Gurnaib Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Bikramjit Singh Jatana, Advocate
for the petitioner.

Mr. Anurag Bansal, AAG, Punjab.

MEENAKSHI I. MEHTA, J.(Oral)

By way of the instant petition, the above-named petitioner has made the **2nd** attempt to seek the relief of regular bail in the criminal case arisen out of the FIR bearing No.96 dated 29.06.2021 registered at Police Station Bhikhi, District Mansa, under Sections 307, 324, 323, 506 read with Section 34 IPC (wherein the offence under Section 326 IPC is stated to have been added later-on), with the allegations that he, along-with his co-accused named Ramandeep Singh and Amardeep Singh, i.e his sons, had caused injuries to complainant-informant-Gurbinder Singh with the weapons like 'sword', 'spade' and 'gandhala'.

2. It is worth-while to mention here that the petition bearing **CRM-M No.33112 of 2021**, as moved by the petitioner earlier for seeking the same

relief, had been dismissed by this Court vide the order dated 16.11.2021 (Annexure P-9).

3. Fresh Power of Attorney on behalf of the petitioner has been filed in the Court today and the same is taken on the record.

4. Short reply on behalf of the respondent-State (by way of the affidavit of the Deputy Superintendent of Police, Sub-Division Mansa, District Mansa), along-with Annexure R-1, has already been filed. Learned State counsel has submitted the custody-certificate of the petitioner in the Court today and the same is also taken on the record.

5. I have heard learned counsel for the petitioner as well as learned State counsel in this petition and have also perused the file carefully.

6. Learned counsel for the petitioner contends that the petitioner is behind the bars since 08.07.2021 and after the dismissal of the first bail petition moved by him, the examination-in-chief of the complainant-injured had been recorded by the trial Court on 17.11.2022 but on 22.12.2022 and 25.01.2023, he (complainant-injured) intentionally did not appear before the trial Court for his cross-examination and in these circumstances, the petitioner deserves the relief as prayed for in the present petition.

7. Learned State counsel does not dispute the afore-referred factual position but he opposes the prayer of the petitioner for the grant of the relief of regular bail.

8. However, keeping in view the above-discussed undisputed facts and circumstances as well as the fact that the trial of the case is likely to take sufficient time to conclude and without commenting or expressing any opinion on the merits of the case, the petitioner named Gurnaib Singh is

hereby ordered to be released on regular bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. The petition in hand stands allowed accordingly.

January 30, 2023
pooja

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>