

CRM-M-24800-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24800-2023

Date of decision: 26.07.2023

Akashdeep Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. G.K.Mann, Sr. Advocate with
Mr. Gursharan Singh, Advocate,
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.258 dated 18.09.2022, registered at Police Station Jandiala, District Amritsar Rural, under Sections 307, 323, 324, 341, 506, 148, 149 and 120-B IPC.

Learned senior counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that though injury on the head of complainant-Manpreet Singh, has been attributed to the petitioner, yet the fact remains that the same has been declared simple in nature. It is further submitted that the petitioner has been in custody since 28.11.2022; that out of 17 prosecution witnesses, none has been examined so far, and that co-accused, namely, Raja alias Iqbal Singh and Sunny Singh and Kahan Singh @ Kanha have since been granted the concession of regular bail by learned Addl. Sessions Judge, Amritsar and by a Coordinate Bench, vide orders dated 28.10.2022 and 23.03.2023 (Annexures P-9 and P-12) respectively. Furthermore, co-accused, namely

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Maan Singh @ Manaa @ Lovedeep Singh has since been granted the benefit of anticipatory bail by the Coordinate Bench, vide order dated 24.05.2023.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner had actively participated in the occurrence; that the petitioner had inflicted a *kirpan* blow on the head of the complainant; that the petitioner is a habitual offender, and that material witnesses are yet to be examined.

I have heard the learned counsel for the parties.

Though injury on the head of the complainant has been attributed to the petitioner, yet the fact remains that the same has been declared simple in nature. The petitioner has been in custody since 28.11.2022. Out of 17 prosecution witnesses, none has been examined till date. Trial of the case would take time to conclude. As stated above, the co-accused have since been granted the benefit of either anticipatory or regular bail. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. So far as two other cases registered or pending against the petitioner, are concerned, he has been released on bail therein.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

26.07.2023

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No