

**220 IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****CRM M-26881-2023 (O&M)****Date of Decision: 05.07.2023**

Nirmal Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. P.B.S. Goraya, Advocate,
for the petitioners.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of bail pending trial to the petitioners in FIR No.08 dated 07.01.2023, under Sections 302, 323, 325 and 148 read with Section 149 IPC registered at Police Station Majitha, District Amritsar.

2. At the outset, learned counsel for the petitioners wishes to withdraw petition qua petitioner No.1 (Nirmal Singh), at this stage.

3. Ordered accordingly.

4. Allegations in brief:-On 07.01.2023, petitioners (Nirmal Singh & Sandeep Singh) along with other co-accused caused injuries to the complainant, his wife and son. The accused were armed with gandasi, dasta (handle of spade), dang, datar and badminton racket. They manhandled son of the complainant, Gurbhej Singh. On raising hue and cry, the accused fled away from the spot along with their respective weapons. Wife of complainant died on

the spot. Later on, complainant and his son were got admitted in Government Hospital, Majitha. Hence the present FIR.

5. It is contended by learned counsel for petitioners that no injury has been attributed to petitioner No.2. Also contends that investigation is already over and challan/report under Section 173 Cr.P.C has been submitted. Trial is likely to take sufficient long time. Also contends that there is no other criminal case pending against him.

6. Learned State counsel on instructions from the police official present and after going through the record acknowledged that no injury has been attributed to petitioner No.2 and he is not having any criminal antecedents, except the present case.

7. In view of the fact that trial is likely to take sufficient long time; no injury has been attributed to petitioner No.2 and he has no criminal background, present petition is allowed. Petitioner No.2 (Sandeep Singh) is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

8. Needless to say that this order be not construed as an expression of opinion on the merits of the controversy in any manner.

05.07.2023
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No