

IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH

230-A

CRM-M-32812-2023 (O&M)

Date of Decision: 17.07.2023

GURJIT SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Shivraj Daumajra, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for grant of regular bail to the petitioner in case bearing FIR No.131 dated 26.10.2022, registered under Sections 307, 323, 341, 427, 506, 148 and 149 IPC and Sections 25 and 27 of the Arms Act, at Police Station Dirba, District Sangrur.

Learned counsel for the petitioner submits that the present FIR was lodged against total seven persons, out of which five have been specifically named and two are unknown; that neither the petitioner has been named in the FIR nor any role has been attributed to him; that the petitioner has been in custody since 20.01.2023 and that out of total 27 prosecution witnesses, none has been examined, so far. He further submits that as far as other cases registered against the petitioner are concerned, the petitioner is on bail in the said cases.

Per contra, while opposing the prayer for grant of regular

bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner had actively participated in the occurrence and that the petitioner is a habitual offender, inasmuch as, there are other cases as well, registered and/or pending against him. He further submits that the prosecution evidence is yet to commence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 20.01.2023. The petitioner was not named in the FIR and no role has been attributed to him. As per the learned counsel for the petitioner, in other cases registered against the petitioner, he is on bail. Prosecution evidence is yet to commence and there are total 27 prosecution witnesses. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, 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/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

17.07.2023

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*