

CRM-M-38051-2023

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IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

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CRM-M-38051-2023  
Date of Decision: 21.11.2023

Veebhadar @ Veebhadar Singh @ Kalu

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. Arjunveer Sharma, Advocate for  
Mr. Munish Garg, Advocate,  
for the petitioner.

Mr. G.S. Sidhu, AAG, Punjab.

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**JASGURPREET SINGH PURI, J. (ORAL)**

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.70 dated 18.02.2020, under Sections 307, 323, 324, 506, 148 & 149 of the IPC, registered at Police Station City Barnala, District Barnala.

2. It has been submitted by learned counsel for the petitioner that the petitioner is in custody from 1 year 3 months and 29 days and the investigation of the case has already been completed and thereafter, challan has also been presented by the police on 18.10.2022 but till date, even the charges have not been framed with the result that the incarceration of the petitioner has been perpetuated. He further submitted that the role attributable to the petitioner was with regard to giving a sword blow on the

left leg of the injured and submitted that the similar role was attributed to the other co-accused, namely, Rajveer Singh, who has since been granted anticipatory bail by a Co-ordinate Bench of this Court vide Annexure P-2. He also submitted that the petitioner has been falsely implicated in the present case and since even the charges have not been framed in the present case and he has already faced incarceration for 1 year 3 months and 29 days and no further recovery is to be effected from the petitioner, therefore, he may be considered for the grant of regular bail.

3. On the other hand, Mr. G.S. Sidhu, learned AAG, Punjab has stated that so far as the custody of the petitioner is concerned, the same is correct and it is also correct that the charges have not been framed in the present case although challan was presented on 18.10.2022. He further submitted that now the supplementary challan has also been presented by the police. He has, however, submitted that the petitioner is involved in as many as 8 more cases although he has been acquitted in 3 cases and 2 cases are pertaining to Prisons Act.

4. I have heard the learned counsel for the parties.

5. The petitioner is stated to be in custody for 1 year 3 months and 29 days. As per the learned counsels for the parties, the challan has been presented by the police on 18.10.2022 but till date, charges have not been framed. The role attributable to the petitioner was with regard to giving a sword blow on the left leg of the injured. The other co-accused, namely, Rajveer Singh, to whom the similar role was attributed has already been granted anticipatory bail by a Co-ordinate Bench of this Court vide Annexure P-2. Furthermore, it is neither the case of the State nor it has

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been so argued by the learned State counsel that in case the petitioner is released on bail then he may abscond or flee from justice or may repeat the offence. Therefore, considering the totality of the circumstances of the present case, this Court deems it fit and proper to grant bail to the petitioner.

6. Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

21.11.2023  
*Bhumika*

(JASGURPREET SINGH PURI)  
JUDGE

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable:        | Yes/No |