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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-40685-2022

DECIDED ON: 27th FEBRUARY, 2023

HARMANDEEP SINGH @ HARMAN

PETITIONER

VERSUS

STATE OF PUNJAB

RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Neeraj Jain, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court under Section 439 of the Code of Criminal Procedure has been invoked for grant of regular bail to the petitioner in case FIR No. 134, dated 24.08.2021, under Sections 323, 324, 148 and 149 of the Indian Penal Code, 1860 (for short 'IPC') (Section 307 IPC added later on vide DDR No. 20, dated 22.06.2022) registered at Police Station City-I, Mansa, District Mansa.

Learned counsel for the petitioner submits that on the plain reading FIR neither any overt act nor any weapon used in the commissioning of offence has been attributed to the petitioner except lalkara. It is asserted that there is a delay of two days in lodging the FIR, which remains un-explained. The petitioner is in custody since 07.07.2022.

Custody certificate of the petitioner filed by learned State

counsel are taken on record. According to custody certificate the petitioner has suffered incarceration for a period of 7 months and 22 days and he is not involved in any another case of any nature.

Considering the fact that the except lalkara neither any role nor any recovery has been attributed to the petitioner and the period so far undergone by the petitioner i.e. 7 months and 22 days added with the fact conclusion of trial will take sufficient long time, this Court is of the considered view that no fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

The petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition stands allowed in view of the afore-said terms.

(SANDEEP MOUDGIL)
JUDGE

27th FEBRUARY, 2023

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