

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

224

CRM-M-38979 of 2023
Date of Decision:16.08.2023

Inderpreet Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Gurpreet Kaur, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.86 dated 26.07.2022, under Sections 307, 120-B, 148, 149 IPC and Section 25 of the Arms Act, 1959, registered at Police Station Doraha, District Khanna.

2. It is submitted by learned counsel for the petitioner that the petitioner is in custody for about ten months and the other co-accused to whom a specific role was attributable, namely, Jatinder Singh @ Billa has been extended the benefit of regular bail by a co-ordinate Bench of this Court on 18.05.2023 vide Annexure P-3 and also other co-accused, namely, Gursewak Singh @ Sewaki has also been granted anticipatory bail by a co-ordinate Bench of this Court on 10.04.2023 vide Annexure P-2. She submitted that so

far as the present petitioner is concerned, the only role attributable to him was that he was present at the spot but there was no injury attributable to the present petitioner. She further submitted that the petitioner is not involved in any other case and has clean antecedents. She submitted that the investigation of the case has already been completed and the *challan* has been presented to the competent Court. She submitted that the trial of the case may take long time therefore the petitioner may be considered for the grant of regular bail.

3. On the other hand, Mr. Ramdeep Partap Singh, Sr. DAG, Punjab has stated that it is correct that the petitioner has already faced incarceration for about ten months. He submitted that it is correct that the petitioner is not involved in any other case. He further submitted that the investigation of the present case has been completed by the police and the report under Section 173 of the Code of Criminal Procedure has been presented to the competent Court.

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

5. It is a case where the petitioner has already faced incarceration for about ten months. The aforesaid two co-accused have already been extended the benefit of anticipatory as well as regular bail by a co-ordinate Bench of this Court vide Annexure P-2 and P-3 respectively. Even as per the prosecution story, no specific role has been attributable to the petitioner and the role of the petitioner was that he was present at the spot. It is yet to be seen at the time of trial with regard to the specific role of the petitioner in this regard. The petitioner is stated to be not involved in any other case and has clean antecedents. In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant bail to the petitioner.

6. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

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 the present petition.

(JASGURPREET SINGH PURI)
JUDGE

August 16, 2023
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No