

CRM-M-40643-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40643-2023

Date of decision: 24.08.2023

ABHI @ ABHIRAJ SINGH

...Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Satbir Singh Gill, Advocate,
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

1. Through this second petition, the petitioner seeks regular bail in case FIR No.241 dated 26.11.2020, registered at Police Station Chheharta, District Amritsar, under Sections 148, 149 and 307 IPC and Sections 25 and 27 of the Arms Act, 1959.

2. Learned counsel for the petitioner contends that though two gun-shot injuries on the left side of neck and left thigh of the complainant, have been attributed to the petitioner, yet the fact remains that he has been in custody since 17.02.2021. It is further submitted that after framing the charge, no prosecution witness has been examined till date and conclusion of trial would take a long time. So far as other cases registered or pending against the petitioner, are concerned, he has been acquitted in two cases whereas he is facing trial in three cases.

3. On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner has been

CRM-M-40643-2023

specifically attributed gun-shot injuries on the person of the complainant; that the petitioner is a habitual offender and that material prosecution witnesses are yet to be examined.

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

5. Though two gun-shot injuries on the left side of neck and left thigh of the complainant, have been attributed to the petitioner, yet the fact remains that he has been in custody since 17.02.2021. No prosecution witness has been examined till date. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. As pointed out above, the petitioner has been acquitted in two cases whereas he is facing trial in three cases.

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

24.08.2023

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No