

(212) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43691-2022

Date of Decision:22.03.2023

Lovepreet Singh @ Lovely

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Harmanpreet S. Mander, Advocate for the petitioner.

Mr. Mohit Chaudhary, A.A.G. Punjab.

SANDEEP MOUDGIL, J. (Oral)

This petition under Section 439 Cr.P.C has been filed for grant of regular bail to the petitioner in FIR No.51 dated 13.04.2022 registered under Sections 307, 326, 324, 323, 341, 427, 506, 148, 149 IPC at Police Station Sarhali, District Tarn Taran.

It is the case of the petitioner that one of the injury has been declared to be dangerous to life, therefore, Section 307 IPC has been invoked. He has referred to Annexure P-3 where the injured-complainant got himself admitted which makes it clear that injury was grievous but not dangerous to life. Learned counsel for the petitioner has also asserted that since challan has been filed on 24.07.2022 but the charge have yet not been framed and the matter is pending for long and the petitioner has undergone custody more than a year.

On the other hand, learned State counsel has produced the custody certificate. A perusal of the same would show that the petitioner is behind bars for the last 10 months. He has not controverted the fact that injuries being declared to be grievous but not dangerous to life. Hence, invoking of Section 307 IPC at this

left open for the trial to adjudicate.

Considering the totality of facts and circumstances of the case particularly the custody already faced by the petitioner during the pendency of the trial which is likely to take sufficient time to conclude, this petition is allowed and the petitioner is ordered to be released on bail subject to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

22.03.2023
rajeev

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No