

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44646 of 2022 (O&M)
DECIDED ON: 20th March, 2023

Morra Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Ms. Karamjeet Sharma, Advocate for petitioner.
Mr. Iqbal Singh Mann, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

This is second bail petition seeking regular bail in case of FIR No. 111 dated 8.7.2021, under Sections 379-B, 324, 506, 34, 201 IPC and Section 201 IPC added lateron, registered at Police Station Vairoke.

The brief facts are that the FIR was at the instance of Kulwant Singh. As per the allegations, on 5th July 2021 while returning home on moped he was attacked by three youngsters riding a motor cycle. The petitioner gave a sword blow on the back of neck and cash amount of Rs.10,000/- was taken from his pocket. While being taken to the hospital, the complainant was followed by the accused.

Learned counsel for the petitioner submits that the petitioner is in custody since 8th May, 2022. The contention is that the FIR is counter blast to the case got registered under Section 376 IPC against the complainant by the cousin of petitioner. It is further submitted that the complainant has named all the persons as accused with whom he was having either civil litigation or criminal cases pending. It is further argued that the injuries suffered by the complainant was simple in nature and no recovery was made from the petitioner. He further relies upon the fact that co-accused was granted bail by

Learned State counsel opposes the prayer and submits that out of twenty prosecution witnesses, four prosecution witnesses have been examined.

Without commenting upon the merits of the case, having conspectus of facts and taking into consideration that there are litigation pending between the parties, the nature of injuries is simple, no recovery was made from the petitioner and conclusion of trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the main case has been decided, pending application, if any is rendered infructuous.

(AVNEESH JHINGAN)
JUDGE

20th March, 2023
reema

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>