

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.44584 of 2023
Date of decision: 14th September, 2023

Amandeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Shrey Goel, Advocate for the petitioner.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.0003 dated 19.01.2023 under Sections 365, 341, 323, 324, 326, 427, 506, 148, 149 IPC registered at Police Station Daba, District Ludhiana. This is second petition filed by the petitioner.

2. Learned counsel for the petitioner, while drawing the attention of this Court to the medico legal report, which has been placed on record today in Court, inter alia submits that the injuries attributed to the petitioner are abrasions on the complainant's lower back, which were declared simple in nature. It has also been submitted that after the withdrawal of the previous petition, similarly situated co-accused Gaurav Singh alias Gauri and Rohit alias Lot had been extended the concession of bail by this Court vide orders dated 08.08.2023 and 24.08.2023. Learned counsel has further submitted that as per the MLR, grievous injury, which was received by the injured, was on his head and not attributed to the petitioner, but to co-accused Mohit. A prayer has

therefore, been made for extending the concession of bail to the petitioner, as his further incarceration would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Jarnail Singh, has not been able to dispute the role attributed to the petitioner and the nature of injuries attributed to him. Learned State counsel, on further instructions, has also not disputed that investigation in the case in hand, is complete and the next date of hearing fixed before the trial Court is 26.09.2023 when the charges are likely to be framed. It has also not been disputed that the petitioner is not involved in any other criminal case.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. The trial will take considerable time to conclude, as even charges have not yet been framed. In the facts and circumstances as enumerated hereinabove, specially the role and nature of injuries attributed to the petitioner, this Court deems it fit to extend the concession of bail to him. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

September 14, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No