

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

212

CRM-M-51289-2021

Date of decision: 29.03.2023

Karanjeet Singh @ Karan @ Gurcharan Singh .....Petitioner

Versus

State of Punjab .....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. A.P. Kaushal, Advocate  
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

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**MANJARI NEHRU KAUL, J. (ORAL)**

The petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.33 dated 26.04.2016 under Sections 302, 148 and 149 of the IPC (Sections 364 and 342 of the IPC added lateron) registered at Police Station Arniwala, District Fazilka.

Learned counsel for the petitioner submits that the petitioner has been in custody since 11.07.2021 after he was summoned to face trial as an additional accused under Section 319 of the Cr.P.C. Learned counsel submits that false allegations have been levelled against the petitioner, however, be that as it may, he has not been attributed any fatal injury on the deceased but only a simple *danda* blow on the ankle of the deceased. He submits that since a denovo trial has commenced, there is no likelihood of the trial concluding in the near future as almost 17 prosecution witnesses out of the 21 cited remain to be examined.

Per contra, learned State counsel while opposing the prayer made by the learned counsel opposite has not been able to controvert the submissions made by the counsel opposite qua the factual aspect of the role attributed to the petitioner. He, however, submits that after the petitioner was summoned under Section 319 of the Cr.P.C., he had absconded as a result of which he was declared a proclaimed offender and finally arrested on 11.07.2021.

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

The petitioner was summoned to face trial as an additional accused under Section 319 of the Cr.P.C. As conceded by the learned State counsel the fatal injury has not been attributed to the petitioner. The petitioner has now been in custody since 11.07.2021 and there is no likelihood of the trial concluding in the near future. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

29.03.2023

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(MANJARI NEHRU KAUL)  
JUDGE

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No