

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-49524-2022

Date of Decision: 15.03.2023

Karamjit Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Ashok Bhardwaj, Advocate for the petitioner.

Mr. Jaspal Singh Guru,
Assistant Advocate General, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

Reply dated 15.03.2023, by way of affidavit of Sh. Balkar Singh, Deputy Superintendent of Police, Sub-Division Sangrur, District Sangrur along with custody certificate filed by learned counsel for the State on behalf of respondent-State is taken on record.

The petitioner has filed the present petition under Section 439 Cr.P.C., for grant of regular bail in case FIR No. 98 dated 10.08.2022 registered under Sections 307, 323, 506 and 120-B IPC at Police Station Sadar Sangrur, District Sangrur.

According to the prosecution story, the petitioner in connivance with his co-accused/Gurjit Singh (who is none else but brother of complainant-Harjit Singh) attempted to kill the complainant by causing accident with Mahindra Pick up of white colour and in that

accident complainant-Harjit Singh, had received injuries.

Learned counsel for the petitioner, *inter alia* contends that petitioner has falsely been implicated in the instant case. There is unexplained delay of two days in registration of the FIR as the occurrence took place on 08.08.2022 whereas the FIR was registered on 10.08.2022. The injuries on the person of complainant are simple in nature. It is a debatable issue as to whether offence under Section 307 IPC is made out against the petitioner or not. Petitioner is in custody since 08.08.2022. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. More so, co-accused of the petitioner, namely; Gurjit Singh, has already been granted the concession of anticipatory bail by this Court vide order dated 21.11.2022, passed in CRM-M-38185-2022. Thus, it is prayed that the petitioner may also be released on regular bail.

On the other hand, learned counsel for the State vehemently opposed the submissions made by learned counsel for the petitioner and submits that the petitioner was engaged by Gurjit Singh for killing his own brother. There are specific allegations against the petitioner that he tried to kill the complainant by causing accident with his Mahindra Pick up vehicle.

Keeping in view the facts and circumstances of the case, custody period of the petitioner and also the fact that co-accused of the petitioner namely, Gurjit Singh, has already been granted the concession of anticipatory bail by this Court vide order dated 21.11.2022, but without commenting on merits of the case, I am of the considered view

that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and petitioner-Karamjit Singh, is ordered to be released on regular bail on furnishing of bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

March 15, 2023
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No