

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

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**CRM-M No.49979 of 2022 (O&M)
Date of Decision: 16.02.2023**

Shinderpal Singh @ Chhinderpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Rahul Arora, Advocate
for the petitioner.

Mr. Anurag Bansal, AAG, Punjab
for the respondent-State.

Mr. R.S. Sekhon, Advocate
for the complainant.

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MEENAKSHI I. MEHTA, J. (Oral)

By way of the instant petition, the above-named petitioner has made the 2nd attempt to seek the relief of regular bail in the criminal case arisen out of the FIR bearing No.21 dated 10.04.2020 registered at Police Station Lakho Ke Behram, District Ferozepur, under Sections 323 & 324 read with Section 34 IPC (wherein the offence under Section 307 IPC is stated to have been added later-on vide G.D. No.16 dated 04.11.2020). It is pertinent to mention here that the first bail petition, i.e CRM-M No.18783 of 2021, as moved by the petitioner, had been dismissed by this Court vide the order dated 20.12.2021 (Annexure P-7), for its having been withdrawn.

2. Shorn and short of unnecessary details, the allegations, as levelled by complainant-informant/injured Gehal Singh in the subject FIR, are

that the petitioner, along-with his co-accused, had caused injuries to him with the weapons like 'gandasi', 'daang' (thick stick) etc.

3. Learned State counsel has submitted the Reply on behalf of the respondent-State (by way of the affidavit of the Deputy Superintendent of Police, Guruharsahai, District Ferozepur) as well as the custody-certificate of the petitioner in the Court today and these documents are taken on the record.

4. I have heard learned counsel for the petitioner as well as learned State counsel (assisted by learned counsel for the complainant-informant) in this petition and have also perused the file carefully.

5. Learned counsel for the petitioner contends that the petitioner is behind the bars since the date of his arrest, i.e 23.11.2020 and the Challan has been presented and the Charges have also been framed and even the afore-named complainant-injured and one of the eye-witnesses of the alleged occurrence namely Mehal Singh, have already been examined as the prosecution witnesses before the trial Court, in this case and moreover, the petitioner is not involved in any other criminal case of the similar nature and therefore, he deserves the relief as prayed for in the present petition.

6. Learned State counsel does not dispute the above-referred factual position but he opposes the prayer of the petitioner for the relief of regular bail.

7. However, keeping in view the afore-discussed undisputed facts and circumstances as well as the fact that the trial of the case is likely to take sufficient time to conclude and without commenting or expressing any opinion on the merits of the case, the petitioner named Shinderpal Singh @ Chhinderpal Singh is hereby ordered to be released on regular bail subject to

his furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. The petition in hand stands allowed accordingly.

16.02.2023
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No