

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50777-2022

Date of Decision: 01.08.2023

Robin

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Mohit Vashishat, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail to him in case FIR No.52 dated 15.05.2021 (Annexure P-1) registered under Sections 307, 148, 149 of IPC at Police Station Daba, District Ludhiana (Section 326 IPC was added later on).

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that he was not named initially. However, later on, a false role was assigned to him that due to the sharp injuries caused by the petitioner, the left hand of the complainant was amputated. While referring to orders Annexures P-2 to P-4, learned counsel for the petitioner contends that Mohit Kumar, Karanjeet Singh @ Shanty, Vikas Kumar, Aman Ali and Deepak Verma, have been granted the concession of anticipatory bail by the learned trial Court. He further relies upon the order Annexure P-5, to contend that Shiv Om @ Shinda and Dev Singh @ Debu have been granted the concession of regular bail. The petitioner is in custody since

25.12.2021 and only 02 witnesses, out of total 22 witnesses, have been examined in the present case and the conclusion of the trial will take quite a long time.

On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that serious and specific allegations have been levelled against the present petitioner and he does not deserve the concession of bail.

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

It is not in dispute that the petitioner was arrested in the present case on 25.12.2021. Even one more case was registered against the present petitioner under Sections 323/34 IPC and Section 52-A of Prisons Act, however, the petitioner is on bail in the said case. Since only 02 witnesses have been examined, out of total 22 prosecution witnesses, consequently, the conclusion of the trial will take a long time.

Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

01.08.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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