

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112+241 CRM-M-48957-2023 (O&M)
Date of decision: 02.11.2023

Gurpreet Singh ...Petitioner
Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. A.S. Manaise, Advocate for the petitioner.
Mr. Sanish Girdhar, AAG, Punjab.

FIR No.	Dated	Section/s	Police Station
129	29.07.2023	392 and 34 IPC	City Malout, District Sri Muktsar Sahib

VIKAS SURI, J.

CRM-44957-2023

Prayer in the present application is for amendment of the head note and prayer clause of the main petition by adding offence under Section 201 IPC.

Learned counsel for the petitioner-applicant submits that the offence under Section 201 IPC has been added later on and the said fact

came to notice at the time of filing of challan in Court.

Notice of the application.

Mr. Sanish Girdhar, AAG, Punjab, accepts notice on behalf of respondent-State.

For the reasons mentioned in the application, the same is allowed. Registry to carry out the necessary corrections.

CRM stands disposed of.

CRM-M-48957-2023

1. The petitioner has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in the above-captioned case.
2. Learned counsel for the petitioner has argued that petitioner is innocent and has been falsely implicated in the present case; the alleged occurrence took place on account of heated arguments exchanged with co-accused and complainant; the petitioner has nothing to do with the alleged occurrence; it is further submitted that petitioner is not involved in any other case; he is in custody since 29.07.2023; investigation is complete; challan stands presented, however, the charges are yet to be framed.
3. *Per contra*, learned State counsel has filed the custody certificate of the petitioner dated 01.11.2023, which is taken on record.
4. Learned State counsel has opposed the present petition by stating that petitioner actively participated in the alleged occurrence, therefore, he is not entitled for the relief sought.
5. I have heard learned counsel for the parties and have considered the rival contentions.

6. Considering the fact that petitioner has clean antecedents and is not involved in any other FIR; the trial is at initial stage since after filing of challan, the charges are yet to be framed; total 13 prosecution witnesses have been cited in the challan, therefore, it can safely be inferred that conclusion of trial will take considerable time and no useful purpose would be served by further detaining the petitioner behind bars, hence without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail during the pendency of trial, on his furnishing bail-bond and surety to the satisfaction of the Area Magistrate/Trial Court/Duty Magistrate concerned.

7. It is, however, made clear that the petitioner shall not influence the trial in any manner directly or indirectly and shall not leave the country without prior permission of the trial Court.

8. The observations made herein-above shall not be construed as an expression of opinion on the merits of the case.

November 02, 2023
sumit.k

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes / No

Whether Reportable : Yes / No