

220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51278-2023

Date of Decision:14.11.2023

Massu Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.ShekhawatPresent : Ms. Divya Gulati, Advocate,
for the petitioner.

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

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.0104 dated 28.05.2023 registered under Sections 307, 506, 148, 149 of IPC, at Police Station Ajnala, District Amritsar.

2. Learned counsel for the petitioner contends that as per the allegations levelled by the complainant, the petitioner was allegedly armed with a baseball bat and attacked Kuldeep Singh alongwith other co-accused. However, no specific role has been attributed to the present petitioner and all the main allegations have been levelled against Mani Singh, co-accused. Learned counsel further submits that the petitioner was arrested on 29.07.2023 and is in custody for the last more than 3 months. Challan has already been presented before the Court of Area Magistrate and the trial may take quite a long time.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner along with other co-accused had caused injuries to Kuldeep Singh, injured. However, he admits that there is no specific attribution to the present petitioner and he has been simply shown to be present at the place of alleged occurrence.

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

5. It is apparent that the petitioner is in custody since 29.07.2023 and the trial has not even formally commenced against the present petitioner. Apart from that, there is no specific attribution to the present petitioner and all the allegations have been levelled against Mani Singh, co-accused.

6. 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.

14.11.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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