

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

226

CRM-M-54494-2022 (O&M)
Date of decision: 31.08.2023

Bobby @ Tibber

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Isha Goyal, Advocate for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

1. Through this petition, the petitioner seeks regular bail in case bearing FIR No.56 dated 24.04.2019, registered under Sections 323, 324, 506, 148, 149 IPC and later on added Section 307 IPC, at Police Station Majitha Road, District Police Commissionerate Amritsar.
2. Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that the FIR was registered on 24.04.2019, whereas Section 307 was added vide zimni order dated 28.12.2019; that though the alleged injury attributed to the petitioner is on the head of victim-Akash, which has been declared dangerous to life but the fact remains that the petitioner has been in custody for the last 01 year, 04 months and 13 days and out of 16 prosecution witnesses, only 01 has been examined so far and that in other cases against him, the petitioner is on bail.

3. On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the injury attributed to the petitioner is on the head of victim-Akash and the same has been declared dangerous to life. The petitioner is a habitual offender and is involved in other cases also. The material witnesses are yet to be examined. He does not dispute the custody period of the petitioner.
4. I have heard the learned counsel for the parties.
5. Though the injury attributed to the petitioner is on the head of victim Akash, which has been declared dangerous to life, but the fact remains that the petitioner has been in custody for the last 01 year, 04 months and 13 days and remaining 15 prosecution witnesses are yet to be examined. In other cases against him, the petitioner is on bail. Therefore, the conclusion of the trial would take a long time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.
6. In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

31.08.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No