

CRM-M-54961-2022

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

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**CRM-M-54961-2022 (O & M)
Date of decision: 22.11.2023**

AMRIT PAL SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Ajay Pal Singh Rehan, Advocate,
for the petitioner.

Mr. J.S.Guru, AAG, Punjab.

Mr. Arnav Sood, Advocate,
for the complainant.

RAJBIR SEHRAWAT, J. (Oral)

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1. This is an application under Section 482 Cr.P.C. seeking exemption from filing copy of *Aadhar* Card of the petitioner and certifies of vernacular of FIR and Annexure P-1.

2. Allowed as prayed for.

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3. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.205 dated 17.08.2020, registered under Sections 323, 324, 452, 307, 379-B, 427, 506,

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148 and 149 IPC (Section 326 IPC added subsequently), at Police Station Tanda, District Hoshiarpur.

4. Custody certificate of the petitioner has been filed by the State counsel. The same is taken on record.

5. It is submitted by the counsel for the petitioner that the case against the petitioner is totally concocted and fabricated. The petitioner is not involved in the crime at all. Even as per the case of the prosecution, the petitioner is alleged to have caused injuries on the left leg and right arm of the complainant, which are totally non-vital parts. The injury inviting Section 307 IPC is not attributed to the petitioner. The main accused, to whom the injury inviting the offence under Section 307 IPC was attributed, has since been released on bail pending trial. The petitioner is in custody since 06.05.2022. The investigation of the case is already over. The petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

6. On the other hand, learned State Counsel, on instructions from ASI Namdev, and being assisted by counsel for the complainant, submits that the petitioner has participated in the incident in which one person was caused injury dangerous to life. Even, the injuries attributed to the petitioner are grievous in nature. However, it is not disputed that the person, to whom the injury inviting the offence under Section 307 IPC is attributed, has since been released on bail pending trial. It is also not disputed that the petitioner is in custody since 06.05.2022.

7. In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is

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ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

22.11.2023
parveen kumar

(RAJBIR SEHRAWAT)
JUDGE

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