

CRM-M-54880-2022

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2023:PHHC:054643

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
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CRM-M-54880-2022

Date of Decision: 19.04.2023

Bhushan

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Mohit Kumar, Advocate for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

Custody certificate dated 18.04.2023 filed by learned
counsel for the State is taken on record.

The petitioner has filed the present petition under Section
439 Cr.P.C., for grant of regular bail in case FIR No. 98 dated
10.08.2022 registered under Sections 307, 323, 506 and 120-B IPC at
Police Station Sadar Sangrur, District Sangrur.

According to the prosecution story, the petitioner in
connivance with his co-accused/Gurjit Singh (who is none else but
brother of complainant-Harjit Singh) and Karmajit Singh, attempted to
kill the complainant by causing accident with Mahindra Pick up of white
colour and in that accident complainant-Harjit Singh, had received
injuries.

Learned counsel for the petitioner, *inter alia* contends that petitioner was not named in the FIR and has falsely been implicated in the instant case on the basis of extra judicial confession suffered by co-accused-Karamjit Singh. There is unexplained delay of two days in registration of the FIR as the occurrence took place on 08.08.2022 whereas the FIR was registered on 10.08.2022. The injuries on the person of complainant are simple in nature. Petitioner is in custody since 10.08.2022. Trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. More so, co-accused of the petitioner, namely; Gurjit Singh, has already been granted the concession of anticipatory bail by this Court vide order dated 21.11.2022 (Annexure P-3), as also co-accused, namely; Karamjit Singh, was granted the concession of regular bail by this Court vide order dated 15.03.2023, passed in CRM-M-49524-2022. Thus, it is prayed that treating the case of the petitioner on the same parity as that of his co-accused, he may also be released on regular bail.

On the other hand, learned counsel for the State vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner in connivance with his co-accused, namely; Karamjit Singh and Gurjit Singh, attempted to kill complainant-Harjit Singh (brother of co-accused Gurjit Singh).

Keeping in view the facts and circumstances of the case, custody period of the petitioner and also the fact that co-accused of the petitioner namely, Gurjit Singh and Karamjit Singh, have already been enlarged on bail by this Court vide orders dated 21.11.2022 (Annexure

P-3) and 15.03.2023, respectively, but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and petitioner-Bhushan, is ordered to be released on regular bail on furnishing of bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

19.04.2023
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No