

CRM-M-54066-2023

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

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**CRM-M-54066-2023
Date of Decision:03.11.2023**

HARWINDER SINGH ALIAS HINDA**.... Petitioner****Versus****STATE OF PUNJAB****.... Respondent****CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present : Mr. Tanvir Singh Grewal, Advocate
for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

1. 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.102 dated 18.07.2023, registered at Police Station Sadar Dhuri, District Sangrur, under Sections 307, 323, 341, 506 and 34 IPC.

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is totally concocted, false and frivolous. The petitioner is not involved in the crime as alleged against him. Even as per the story of the prosecution, allegation against the petitioner is only causing injuries, mostly on the non-vital parts of the complainant. Co-accused with the similar allegations have been granted the concession of regular bail by the trial Court itself. There is no difference between the role attributed to the petitioner and the one attributed to the co-accused. The

petitioner has been in custody since 09.08.2023. Challan has already been

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presented and the petitioner is not required for any further investigation purposes. Therefore, the petitioner deserves to be released on bail pending trial.

3. Notice of motion.

4. Mr. G.S.Sandhu, DAG, Punjab, accepts notice on behalf of the respondent-State. Custody certificate of the petitioner has been filed by learned State counsel in the Court today. The same is taken on record. Learned State Counsel, on instructions, from SI Gulab Singh, submits that the petitioner has been directly attributed injury, including the head injury, as having been caused to the complainant. Therefore, the petitioner does not deserve any concession of bail. However, it is not disputed that the injury attributed to the petitioner are simple in nature. It is also not disputed that all other co-accused have already been released on bail.

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

03.11.2023

parveen kumar

**(RAJBIR SEHRAWAT)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No