

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-2911-2023 in/and
CRM-M-58176-2022
Date of Decision:-23.01.2023

GURPREET SINGH ALIAS GURI

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Nitish Garg, Advocate
for the applicant/petitioner.

Mr. Chaman Lal Pawar, Addl. A.G. Punjab.

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KARAMJIT SINGH, J. (Oral)

CRM-2911-2023

In view of the reasons mentioned in the application, the same is
allowed and the main case is ordered to be taken on board today itself.

CRM-M-58176-2022

Prayer is for grant of regular bail in case having FIR No.158
dated 17.7.2022 registered under Sections 341, 323, 324, 148, 149 IPC
(Section 326 IPC added later on) at Police Station Civil Lines District
Patiala.

The counsel for the petitioner contends that the petitioner is falsely implicated in the present case and otherwise also as per the allegations appearing on the record the petitioner caused injury with the help of sword on non-vital part of body of the complainant and is in custody since 19.9.2022 and is having no criminal history. The counsel for the petitioner further submits that after completion of investigation, the police has presented the challan, but it will take considerable time for conclusion of trial, so prayer is made for grant of concession of present bail.

The instant petition is resisted by the State counsel, who on instructions from ASI Gurdev Singh submits that the injury attributed to the present petitioner is covered under Section 326 IPC. However, the State counsel has not disputed the fact that the said injury is on the non-vital part of the body of the complainant and that after completion of investigation, police has presented the challan but charges are yet to be framed and that during investigation the weapon used by the petitioner in commission of crime has been recovered.

I have considered the submissions made by counsel for the parties.

The grievous injury caused by the petitioner with the help of sharp edged weapon (sword) is on the non-vital part of the body of the complainant and the recovery of said weapon stands effected and after completion of investigation, challan is also presented but the trial will commence after the framing of charges and even thereafter it will take considerable time for the trial to terminate and presently the petitioner is lodged in judicial custody. As it will take time for the trial to conclude, no

purpose is going to be served by prolonging judicial custody of the petitioner for indefinite period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

23.01.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No