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

**CRM-M-56290-2023
Date of Decision: 15.11.2023**

Major Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Dhamanpreet Kaur, Advocate for
Mr. B.S. Bhalla, Advocate,
for the petitioner.

Mr. G.S. Sidhu, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case bearing FIR No.183 dated 06.09.2023, under Sections 307, 379-B, 341, 332, 353, 186, 427, 506, 148 & 149 IPC, registered at Police Station Ajnala, District Amritsar.

2. Learned counsel appearing on behalf the petitioner submitted that the petitioner is in custody from last two months and the case is still at the investigation stage. She further submitted that so far as the present petitioner is concerned, there is no direct role against him because the offence under Section 307 IPC was not attributed to him but was attributed to the co-accused, and therefore, the petitioner may be considered for the grant of regular bail.

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3. On the other hand, Mr. G.S. Sidhu, learned AAG, Punjab has submitted that the petitioner was a part of the unlawful assembly and he was holding a *Datar* in his hands. He further submitted that when the mining party reached at the spot where the illegal mining was taking place then all the accused persons including the petitioner attacked the mining party and therefore, considering the gravity of the offence and the fact that the case is still at the investigation stage, the petitioner does not deserve the concession of regular bail.

4. I have heard the learned counsels for the parties.

5. Considering the fact that the case is still at the investigation stage as stated by both the counsels for the petitioner and the State and the role attributable to the petitioner as per the FIR and also considering the gravity of the offence, this Court does not deem it fit and proper to grant regular bail to the petitioner.

6. Consequently, finding no merit in the present petition and the same is hereby dismissed.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

15.11.2023

*Bhumika***(JASGURPREET SINGH PURI)****JUDGE**

1. Whether speaking/reasoned	Yes/No
2. Whether reportable:	Yes/No