

IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH

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CRM-M-58822-2022 (O&M)

Date of Decision: 02.08.2023

LOVEPREET SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vinay Kumar, Advocate
for the petitioner.

Mr. CL Pawar, Additional AG Punjab.

HARNARESH SINGH GILL, J.(Oral)

CRM-28026-2023

Allowed as prayed for.

Annexure A-1 is taken on record.

Registry is directed to tag the same at an appropriate place.

CRM-M-58822-2022

Prayer in this petition is for grant of regular bail to the petitioner in case bearing FIR No.73 dated 28.05.2022, registered under Sections 326, 323, 427, 148, 149 and 307 (added later on) IPC, at Police Station Sadar Patti, District Tarn Taran.

Learned counsel for the petitioner submits that an iron rod injury on the person of Ranjit Singh, son of the complainant, has been attributed to the petitioner, which was declared dangerous to life; that the petitioner has been in custody since 17.10.2022; that the challan has

already been presented; that there is no other case registered and/or pending against the petitioner. He further submits that it is a case of version and cross-version and it is yet to be ascertained as to which party was the aggressive one and that in the cross-case, registered by maternal uncle of the petitioner, the complainant herein is also an accused.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner had actively participated in the occurrence, inasmuch as, he gave an iron rod blow on the head of the son of the complainant, which was declared dangerous to life. He further submits that the charges are yet to be framed and the prosecution evidence is to commence. Thus, the petitioner does not deserve the concession of bail.

I have heard the learned counsel for the parties.

It is a case of version and cross-version. In cross-case registered by the maternal uncle of the petitioner, the complainant herein is also an accused. Though an injury on the head of son of the complainant has been attributed to the petitioner, yet the fact remains that he has been in custody since 17.10.2022. There is no other case registered and/or pending against the petitioner. The charges are yet to be framed and the prosecution evidence is to commence. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on

the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

02.08.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No