

2023:PHHC:149234

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

209

CRM-M-58064-2023

Date of Decision : **November 23, 2023**

TANVEER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Anterpreet Singh, Advocate for
Mr. J.S.Dadwal, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition filed under Section 439 Cr.P.C. the petitioner prays for grant of regular bail in case FIR No.0050 dated 18.6.2023, Under Sections 323, 324, 341, 506, 148, 149 IPC (Section 326 IPC added later on), registered at Police Station Jodhan, District Ludhiana.

2. The prosecution agency was set into motion on a statement made by complainant Sumandeep Singh wherein, he alleged that on 15.6.2023 at about 8.30 p.m., he was going to his house and accused Mandeep Singh, Ekam Singh, Harjinder Singh @ Jinder and the present petitioner waylaid him in the street and gave beatings but after rescuing himself, the complainant went inside his house. On 16.6.2023 at about 8.00 a.m., the complainant was going to karyana shop in the village and when he reached near Darwaja, Mandeep Singh armed with sword, Ekam

Singh armed with sword, Harjinder Singh @ Jinder armed with gandasi and the present petitioner armed with sword, Satnam Singh armed with sword and Jaisi armed with gandasi waylaid him and caused injuries with their respective weapons, which hit on different parts of his body.

3. Learned counsel for the petitioner submits that though the petitioner has specifically named in the FIR and injuries are attributed to him, however, the injuries attributed to him are simple in nature. He further submitted that the instant offences are triable by the Court of the learned Judicial Magistrate 1st Class, therefore, the completion of the trial would take more time. He further submitted that the petitioner has already faced sufficient incarceration. Learned counsel for the petitioner also placed reliance upon the order dated 7.11.2023 passed in CRM-M-54603-2023, whereby, similarly situated accused, namely, Harjinder Singh @ Jinder has been granted the relief of regular bail by this Court.

4. The asked for relief has been opposed by the learned State counsel by placing on record the custody certificate to submit that the petitioner is involved in four more cases out of which in one he has been convicted and in three cases, he is facing the trial and the petitioner has already faced incarceration for about four months. He further submitted on instructions imparted to him by ASI Kamaljit Singh that the final report has already been filed and the charges are yet to be framed. He further submitted that the prosecution has cited 9 witnesses but no one has been examined so far.

5. Considering the length of incarceration and the stage of the

trial coupled with the fact that the other co-accused, namely, Harjinder Singh @ Jinder has already been granted the relief of regular bail by this Court, this Court deems it appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is allowed.

6. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

7. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

(KULDEEP TIWARI)
JUDGE

November 23, 2023
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No