

2023:PHHC:159956

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

236

CRM M-61597 of 2023
Date of Decision: 13.12.2023

Princepal Singh @ Prince

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Balbir Singh Jaswal, Advocate for the petitioner.
Mr. Mohit Chaudhary, AAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.0020 dated 24.02.2023 registered under Sections 307, 379-B(2) and 34 IPC (offence under Section 201 IPC was added later on and offence under Section 307 IPC was deleted) at Police Station Khilchian, District Amritsar.

2. Learned counsel for the petitioner contends that the alleged incident had taken place on 23.02.2023 and the FIR was registered on 24.02.2023. Even as per the case of the prosecution, the co-accused of the petitioner had assaulted the complainant side and the petitioner was only driving the motorcycle. Learned counsel further submits that co-accused Nishan Singh @ Ajay has already been granted the concession of bail by this Court vide order dated

04.10.2023 (Annexure P-3). The case of the petitioner is on better footing.

3. On the other hand, learned State counsel has opposed the submissions made by the petitioner on the ground that specific allegations have been levelled against the present petitioner and he had actively participated in the commission of the crime.

4. I have heard learned counsel for the parties and perused the record.

5. The petitioner is in custody since 24.02.2023, i.e., for more than 09 months. Even though, the petitioner has been named in the FIR but there is no specific attribution to him and it has been alleged that the petitioner was driving the motorcycle at the time of the commission of the crime. Apart from that, undoubtedly, the case of the petitioner is better than the case of Nishan Singh @ Ajay.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

13.12.2023

(N.S.SHEKHAWAT)

amit rana

JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No