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258 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S-13-2024
Decided on : 30.07.2024

Shahbaz Singh @ Sahu Appellant

Versus

State of Punjab and another Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. The appellant is aggrieved against the order dated 12.12.2023 passed by Addl. Sessions Judge, Hoshiarpur vide which his petition for grant of regular bail in DDR No.40 dated 15.05.2023 (Annexure A-2) under Sections 307, 324, 323, 148, 149 IPC, in FIR No.133 dated 12.05.2023 under Sections 302, 120-B IPC and 25 and 27 of Arms Act and Sections 3 and 4 of SC/ST (Prevention of Atrocities Act) registered at Police Station Model Town District Hoshiarpur was dismissed.

2. Learned counsel for the appellant asserts that the appellant has been in custody since 21.10.2023 in a case of version and cross-version; he has been falsely implicated in the DDR version by the opposite party, with no role whatsoever attributed to him; the



only allegation against him is his presence at the time of the alleged occurrence along with the co-accused. It has been further argued that there are no allegations of the petitioner inciting the co-accused to cause any injury to the opposite party. Learned counsel has also submitted that the co-accused have already been granted the concession of anticipatory bail, and thus, further incarceration of the appellant would serve no useful purpose, more so, when the investigation in the present case is complete.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the appellant, has not been able to dispute the specific role attributed to the appellant in the DDR version. However, it has been submitted on instructions that the appellant was a part of unlawful assembly and is involved in other criminal cases, though he has been acquitted in one case and is on bail in the remaining cases.

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

5. The appellant has been in custody since 21.10.2023. The investigation in the present case is complete as challan stands presented. Apart from his presence along with the co-accused shown at the time of alleged occurrence, no specific role or injury has been attributed to the appellant.

6. In the facts and circumstances as enumerated hereinabove, no useful purpose would be served in keeping the appellant behind



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bars as the trial would take considerable time to conclude. This Court thus, deems it fit to extend the concession of regular bail to the appellant. Accordingly, the instant appeal is allowed. The appellant be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

30.07.2024
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(MANJARI NEHRU KAUL)
JUDGE

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