

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3294-2024
Date of Decision:27.02.2024

Labh Singh ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. L.S Sidhu, Advocate for
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

Mr. Rajinder Kumar Singla, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 83 dated 29.07.2023, registered under Sections 324,323,336,148,149 of IPC and under Sections 25/27 of Arms Act, Police Station Maur, District Bathinda.
2. Learned counsel for the petitioner contends that the FIR was initially registered against four persons namely Sarbhjeet Singh, Jagjeet Singh, Kuldeep Singh and Major Singh and the petitioner was not arrayed as an accused in the present case. He further contends that the allegations levelled by the complainant side have been found to be partly false and no party had fired any shot from any firearm and the offence under Sections 336 IPC and 25/27 of Arms Act have been ordered to be deleted. Learned counsel further contends

that it is a case of version and cross-version and co-accused Sarabhjeet Singh had also suffered injuries in the occurrence. Even a cross case has been registered against the complainant party vide DDR No.31 dated 30.07.2023, which is annexed as Annexure P-6. Learned counsel next contends that in fact, the members of the complainant parties namely Harpreet Singh, Dipinder Singh, Balwan Singh and Sukhvir Singh got themselves admitted in Kiran Nursing Home, Maur Mandi, Bhatinda on 28.07.2023 and have been discharged from the hospital. However, later on, the medical opinion was manipulated and the offence under Section 307 of IPC was added illegally. Learned counsel further contends that the petitioner was arrested in the present case on 10.12.2023 and final report under Section 173 Cr. P.C has already been presented against him.

2. On the other hand learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner and his co-accused had caused serious injuries to the injured in the present case.

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

4. The petitioner was arrested in the present case on 10.12.2023 and is in custody since then. Apart from that, the challan under Section 173 Cr.P.C has already been presented against the present petitioner and the trial Court may take considerable time in concluding the trial and no purpose would be served by sending the petitioner behind the bars.

5. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his

furnishing bail bonds and surety to the satisfaction of the concerned trial Court/
Duty Magistrate/Chief Judicial Magistrate.

27.02.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No