

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.3062 of 2024

Date of decision: 29th April, 2024

Harpreet Singh @ Preet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Arora, Advocate for the petitioner.

Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.135 dated 07.09.2023 under Sections 307, 427, 506, 149, 148 of the IPC and Section 25 of the Arms Act, 1959 registered at Police Station Sirhali, District Tarn Taran.

2. Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the instant case for allegedly causing damage to the gate of the house of the complainant with a sword, that he was armed with on the fateful day. While drawing the attention of this Court to the allegations levelled in the FIR, which has been annexed as Annexure P-1, it has been further asserted by learned counsel for the petitioner that no injury much less even simple, had been attributed to the petitioner on the person of the complainant.

Still further, it has been submitted that since investigation in the case in hand is complete as challan stands presented, his further incarceration would serve no useful purpose as charges are likely to be framed on the next date of hearing fixed before the trial Court i.e. 30.04.2024 coupled with the fact that as many as 15 prosecution witnesses have been cited.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has not been able to dispute the factual aspect of the role attributed to the petitioner in the crime in question and also the status of the trial, however, it has been submitted that the petitioner is involved in two other criminal cases, including one under the Arms Act, 1959 wherein he is in custody.

4. Learned counsel for the petitioner has however, controverted the instructions received by the learned State counsel. He has submitted that the petitioner has since been released on bail in the FIR which stands registered against him under the Arms Act, on 09.01.2024.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. The possibility of the trial concluding in the near future is remote as charges have not yet been framed, coupled with the fact that 15 witnesses have been cited by the prosecution. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is

allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. 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.

(MANJARI NEHRU KAUL)

JUDGE

April 29, 2024

rps

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