

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-4628-2024 (O&M)
Date of Decision:- 02.02.2024

Sat Pal ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Avtar Singh Bhatti, Advocate, for the petitioner.

Mr. Ravinder Singh, AAG, Punjab.

FIR NO.	DATE	POLICE STATION	OFFENCES
38	08.05.2023	Garhdiwala, District Hoshiarpur	452, 323, 324, 363, 342, 379-B, 506, 148, 149 IPC

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of complainant Amarjit Singh wherein it is alleged that on 4.5.2023 when he was present at his house, then at about 5.30 pm Nishu, Danny both armed with ‘*datar*’, Ashok Pal, Satpal Singh @ Satti both armed with ‘baseball bat’, Gora armed with ‘iron rod’ along with three unidentified persons entered into their house by scaling a wall. It is alleged that the said persons inflicted injuries to the complainant with their weapons. While other

named accused are attributed specific injuries, the petitioner is not attributed any specific injury. It is further alleged that the said persons after causing injuries left the spot but while leaving also took away an amount of Rs.15,000/-, a mobile phone and also snatched a gold chain from the neck of Manveer Kaur wife of the complainant.

3. Learned counsel submits that although he is named in the FIR but no specific injury is attributed to him. It has further been submitted that all the injuries are in the nature of simple injuries and are on non-vital parts of the body. Learned counsel has submitted that the petitioner as on date has been behind bars since the last about 6 months and that the case is not even committed so far.
4. Opposing the petition, learned State counsel submits that since the petitioner is specifically named in the FIR and was duly armed with baseball bat, his complicity is clearly evident even if he is not attributed any injury. Learned State counsel has however, informed that as on date the petitioner has been behind bars since the last about 6 months and that the petitioner is not involved in any other case. It has also been informed that the case is yet to be committed to the Court of Sessions and that as many as 11 PWs have been cited.
5. This Court has considered the rival submissions.
6. Without commenting anything as regards the veracity of the allegations, but having regard to the fact that the petitioner has a clean record and has been in custody since the last more than 6 months and the trial has not commenced till date, further detention of the petitioner will not serve any useful purpose. The petition, as such, is

accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

02.02.2024
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No