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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-9001-2024

Date of Decision: 22.03.2024

Preet Kamal Singh

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Ms. G.K.Mann, Senior Advocate with
Mr. Gursewak Singh, Advocate
for the petitioner.

Mr. Deepinder Singh Brar, Senior DAG, Punjab.

Mr. P.S.Ahluwalia, Advocate
for the complainant.

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 regular bail in case FIR No.0406 dated 16.12.2023 registered under Sections 323, 341, 34 of IPC (Section 307 of IPC and Sections 25-54-59 of Arms Act were deleted and Sections 325, 379-B of IPC added later on), at Police Station Tripri Patiala, District Patiala.

2. Learned Senior counsel appearing on behalf of the petitioner contends that the petitioner is an Engineer by profession and is working with a Multi National Company. In fact, the occurrence had taken place at the spur of moment and the petitioner has no criminal background. She further contends that the FIR in the present case has been registered under the influence of complainant side and the petitioner has already moved an application to the

Director Bureau of Investigation, Punjab for fair and impartial investigation of the matter. The said application has already been marked to DIG, Patiala for further investigation. She further contends that the offence under Section 379-B of IPC has been added in the present case, only to make the offence graver as the ingredients of the said offences are completely missing in the present case. She further contends that the petitioner was ordered to be arrested in the present case on 08.01.2024 and is in custody since then.

3. 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 police has already colluded with the accused side and Dr. Raj Kamal Singh has been wrongly declared as innocent in the present case. One more accused Achit Raj is still absconding and may have gone abroad. Consequently, the petitioner does not deserve the concession of bail in the present case.

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

6. The petitioner was arrested in the present case on 08.01.2024 and the recovery of weapon of offence has already taken from him. Apart from that, the injured have already been discharged from the hospital in the present case and no purpose would be served by keeping the petitioner behind bars. Even otherwise, the petitioner is well educated person and is employed with a Multi National Company.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his

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

22.03.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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