

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

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**2024:PHHC:054418
CRM-M-9385-2024
Date of decision: April 22, 2024**

NAVJOT SINGH @ NAVI
...Petitioner

Versus

STATE OF PUNJAB
...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Loveleen Nanda, Advocate
for the petitioner.

Mr. Amit Rana, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.211 dated 10.06.2023 (Annexure P-1) under Sections 341, 323, 506, 148 and 149 of the Indian Penal Code, 1860 (and Section 25 of the Arms Act, 1959 and Section 452 IPC added later on), registered at Police Station Sohana, District SAS Nagar, Mohali.
2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been in custody since 19.01.2024 and after the challan was presented on 16.03.2024, charges had not yet been framed, hence, there was no likelihood of the trial concluding in the near future, moreso since as many as 27 witnesses have been cited by the prosecution. Learned counsel further submits that false allegations have been alleged against the petitioner in the FIR in question, which has been annexed as Annexure P-1. He further submits that though the petitioner was not involved in the occurrence in question, however, even assuming for the sake of arguments that he was indeed present, he has been attributed simple and blunt injuries on the head of the complainant. Learned counsel has still further submitted that all the offences are bailable in nature except for Section 452 IPC, which was added after 16 days of the registration of the FIR in question.
3. On a pointed query put to learned counsel for the petitioner as to whether the petitioner is involved in any other criminal case, he has replied in the negative.

4. *Per contra*, while opposing the prayer and submissions made by learned counsel for the petitioner, learned State counsel, on instructions, has not disputed that the injuries attributed to the petitioner had been opined to be simple blunt injuries, however, he submits that it was a premeditated attack carried out by the petitioner and the co-accused; at the relevant time, the petitioner was armed with a *gandasi*, with which he attacked the complainant on his head. Learned State counsel has not disputed that the investigation in the case in hand is complete. It has also not been disputed that the petitioner has clean antecedents.

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

6. The possibility of the trial concluding in the near future does not seem probable as the charges are likely to be framed on the next date of hearing before the learned trial Court i.e. 15.02.2024, coupled with the fact that as many as 27 prosecution witnesses have been cited by the prosecution.

7. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner. The petition as such is allowed, and the petitioner be 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.

April 22, 2024
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

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