

2024:PHHC:108385



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10791-2024
Date of Decision:20.08.2024

Arshdeep Singh @ Putti ...Petitioner

vs.

State of Punjab ...Respondent

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

Present : Mr. Raghav Soni, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

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. 73 dated 19.07.2023, registered under Sections 307,353, 332,333,186,34 of IPC, Police Station C-Division, District Amritsar (Annexure P-1).
2. Learned counsel for the petitioner contends that the FIR was initially registered against the petitioner and others and it has been alleged that the petitioner had caused an injury on the elbow and thumb of the complainant with a *dattar*. He further contends that in fact, the petitioner was not arrested at the spot and the prosecution has failed to explain as to how the name of the petitioner was earlier known to the complainant. He further contends that the petitioner was arrested in the present case on 07.09.2023 and is custody for the last more than 07 months. Learned counsel next contends that even the offence under Section 307 of IPC has been wrongly added by the police, just to make

the allegations graver, without any basis. He further contends that after completion of the investigation, challan has been presented in the present case and only 02 witnesses out of 20 witnesses have been examined so far. Thus, the conclusion of the trial may take quite a long time.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner. Learned State counsel contends that one more case under Section 379,411 of IPC was ordered to be registered against the present petitioner and the present petition deserves to be dismissed by this Court.

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

5. In the present case, the petitioner was arrested on 07.09.2023 and is in custody since then. Even the prosecution has been able to examine only 02 witnesses out of total 20 witnesses and there are no chances of early conclusion of the trial.

6. 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.

20.08.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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