

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

CRM-M-15623-2024
Date of Decision: 05.04.2024

Harman Singh Virk alias Harbhagwan Singh		...Petitioner
	vs.	
State of Punjab		...Respondent

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

Present : Mr. Shivender, Advocate for
 Mr. B.S. Bhalla, Advocate
 for the petitioner.

Mr. Deepinder Singh Brar, Senior DAG, Punjab.

Ms. Dhamanpreet Kaur, 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.241 dated 27.11.2023 registered under Sections 307, 148, 149 of IPC and Sections 25, 27 of Arms Act, 1959 at Police Station City South, District Moga.
2. Learned counsel for the petitioner contends that as per case of the prosecution, the petitioner was armed with pistol but he had exhorted the other accused to cause injuries to the injured. He further contends that the matter has been amicably resolved between the parties and the complainant had filed an affidavit (Annexure P-1) in this regard. He next contends that the petitioner was arrested in the present case on 30.11.2023 and is in custody since then. He further contends that the prosecution has relied upon 18 witnesses, but no witness has been examined so far.

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 there are serious allegations against the present petitioner and he does not deserve the concession of bail by this Court.
4.

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

I have considered that the petitioner is in custody since 30.11.2023 and after completion of the investigation, the final report under Section 173 Cr.P.C. has already been presented against him.
6.

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.

05.04.2024.

hemlata

(N.S.SHEKHAWAT)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No