

S. No.223

2024:PHHC:046550

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

CRM-M-15701 of 2024

Date of Decision:05.04.2024

Sunny alias Gori

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rishu Mahajan, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.315 dated 17.09.2022 registered under Sections 326/324/323/148/149 IPC at Police Station Maqboolpura, Amritsar.

As per prosecution allegations, FIR was lodged on the complaint of Gagandeep Singh, as per which on 16.09.2022, his nephew Amritpal Singh was assaulted by Sajan and 5-6 unknown persons.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and that he has been nominated on the basis of disclosure statement of co-accused Sajan. Learned counsel also contends that no specific injury is attributed to the petitioner and that injury with datar has been attributed to co-accused Sajan.

Learned counsel further submits that the petitioner is in custody for the last more than three months and that the trial may take time to conclude, so he be allowed bail.

Notice of motion.

Mr. Amandeep Singh, DAG, Punjab, accepts notice on behalf of the respondent- State.

Learned State Counsel concedes the fact that the main injury attracting Section 326 IPC is attributed to the co-accused Sajan. It is also conceded that name of the petitioner does not find mention in the FIR and that his name has emerged in the disclosure statement of the co-accused.

Learned State Counsel, on instructions from ASI Rampal, also informs that challan has already been filed.

As per the custody certificate placed on record, petitioner is in custody for the last 03 months and 14 days, though he is involved in three more cases in all of which, he is on bail. All the offences in question are triable by the Magistrate. Trial may take time to conclude.

Having regard to all the afore-said facts and circumstances of the case, but without commenting anything further on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate, on usual terms and conditions.

April 05, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No