



223 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16087-2024
Decided on:-15.05.2024

Rupinder Singh @ RimpiPetitioner..

vs.

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Narinder S. Lucky, Advocate,
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in cross case bearing DDR No.22, dated 28.07.2020, registered under Sections 324, 323, 148, 149 (Section 307 added later on) in case FIR No.93 dated 22.07.2020, under Sections 324, 323, 341, 148, 149, 201 IPC, at Police Station Mehtiana, District Hoshiarpur, wherein the petitioner has been implicated with the allegations of having given *khanda* blow on the forehead of complainant-injured, namely, Yusuf Masih.

2. The prayer made herein has been vehemently opposed at the instance of learned State counsel while referring to the antecedents of the petitioner, who is stated to be involved in two cases of NDPS and one involving the provision of Section 363 IPC. It has also been submitted that

the injury attributed to the victim has been declared dangerous to life and thus, he does not deserve the concession of regular bail.

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioners.

4. In the present case, investigation already stands concluded with the filing of challan. The petitioner is behind the bars for the past almost 05 months and the trial is likely to take some time. Besides it, injured-victim got discharged from the hospital in a day as well as the present is a case of version and cross-version as at the first instance, FIR was registered on the statement made by the petitioner against 05 persons on 22.07.2020 and after a period of 06 days, cross-version was recorded on the statement of Yusuf Masih/injured, thus, the factum of aggressor is yet to be established during trial.

5. Thus, considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioner any further.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

15.05.2024
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(HARKESH MANUJA)
JUDGE

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