

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18847-2024
Date of Decision:24.04.2024

Sukhchain Singh @ Chana ...Petitioner

vs.

State of Punjab ...Respondent

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

Present : Mr. Amitoj Singh Dhaliwal, Advocate and
 Ms. Manmohan Kaur Dhaliwal, Advocate
 for the petitioner.

Mr. Deepender Singh,Addl. A.G, 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. 241 dated 27.11.2023, registered under Sections 307,148,149 of IPC and under Sections 25,27 of Arms Act, Police Station City South, Moga, Punjab.
2. Learned counsel for the petitioner contends that even though the petitioner has been wrongly named in the FIR and the prosecution version is exaggerated. Learned counsel further contends that it has been shown that the petitioner had fired shots at Manjit Singh,injured, however, Manjit Singh has suffered only superficial pellet injuries on non-vital parts of the body. He further contends that the petitioner was arrested in the present case on 30.11.2023 and the Manjit Singh, injured has already been discharged from the hospital. Learned counsel for the petitioner has relied upon the orders (Annexures P-3 and P-4), whereby, similarly placed co-accused Nidhark Singh

Virk, Sukhdev Singh @ Sebi and Harman Singh Virk @ Harbhagwan Singh have been ordered to be released on bail by this Court. Learned counsel further contends that the final report under Section 173 Cr. P.C has already been presented before the competent Court of law and there are no chances of early conclusion of the trial

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 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 carefully.

5. The petitioner was arrested in the present case on 30.11.2023 and is in custody for the last about 05 months. The injuries suffered by Manjit Singh, injured were on non-vital parts of the body and he has already been discharged from the hospital long ago. The prosecution has relied upon 18 witnesses, but no witness has been examined so far and the conclusion of the trial may take quite a long time.

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.

(N.S.SHEKHAWAT)
JUDGE

24.04.2024
hitesh

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