



CRM-M-24187-2024

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

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**CRM-M-24187-2024  
Date of Decision : 20.05.2024**

Hira Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL****\*\*\***

Present : Mr. Arshdeep Singh Khaira, Advocate  
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

**MANJARI NEHRU KAUL, J. (Oral)**

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case DDR No.30, dated 08.01.2024 registered under Sections 307, 160, 323, 324, 148, 149, 212, 216, 120-B, 201 IPC and Sections 25 & 27 of the Arms Act, 1959, in FIR No.132, dated 13.11.2023 at Police Station Division D, Distt. Police Commissionerate, Amritsar, for the offence under Sections 302, 307, 160, 323, 324, 148, 149 IPC and Sections 25 and 27 of the Arms Act, 1959.

2. Learned counsel submits that the petitioner has been in custody since 13.11.2023; though named in the FIR in question, which has been annexed as Annexure P-2, however, no role much less any injury on the deceased or any other person from the opposite party has been attributed to him. Learned counsel has asserted that in fact it is a case of sudden quarrel between two groups of people, which took place in the intervening night of 12<sup>th</sup> & 13<sup>th</sup> of November, 2023. Learned counsel has submitted that it is also a matter of record that injuries were sustained by both sides and each group comprised of about 20-30 persons. Learned counsel has further submitted that the investigation in the case in hand is complete and challan stands presented.



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The trial will take considerable time to conclude as 45 prosecutions witnesses have been cited and the charges are yet to be framed.

3. Per contra, learned State counsel while opposing the prayer and submissions made by counsel opposite has not disputed the submissions made by the counsel opposite qua the petitioner not having inflicted any injuries on the opposite side or even having inflicted any injury on the person of the deceased. Learned State counsel has also not disputed that in the occurrence in question injuries were received by both the sides. Learned State counsel further submits that the petitioner has been named in the DDR which was recorded on the following day, after almost 12 hours of the occurrence. On the pointed query, learned State counsel has not disputed that the petitioner has clean antecedents and is not involved in any other criminal case.

4. I have heard learned counsel and perused the material on record.

5. A bare perusal of FIR and DDR *prima facie* reveals that the occurrence in question was not a premediated attack but a result of sudden quarrel which broke out between two groups in the intervening night of 12<sup>th</sup> & 13<sup>th</sup> of November 2023, as has also been conceded by the learned State counsel. Moreover, the petitioner has not been attributed any injury on the person of the deceased, much less fatal. The petitioner, in the instant case has been arrested on 13.11.2023 and the challan stands presented on 08.01.2024. Thus, the likelihood of the trial concluding in the near future is remote as the charges are yet to be framed.

6. In the facts and circumstances, as enumerated hereinabove, the instant petition is allowed as the trial will take considerable time to conclude. The petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)  
JUDGE

20.05.2024

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Whether speaking/reasoned  
Whether Reportable

Yes/No  
Yes/No