



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

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CRM-M-25262-2024

Date of decision: 14.08.2024

Vikramjit Singh @ Vicky

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present: Mr.Rajiv Kumar Saini, Advocate, for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.202 dated 10.06.2021 under Sections 307, 353, 506, 186, 120-B of the IPC and Section 52 of the Prisons Act, registered at Police Station Islamabad, District Amritsar.

2. Learned counsel for the petitioner submits that in the FIR in question he was not named nor any role attributed with respect to the attack carried on DSP Sanjeev Kumar, who was on a routine round of the jail premises. Learned counsel submits that the petitioner came to be arraigned as an accused pursuant to an enquiry carried out by DSP Rajandeep Singh wherein also the only role attributed to the petitioner was of having conspired with the co-accused who had inflicted injuries on injured DSP Sanjeev Kumar. Learned counsel has, in support, drawn the attention of this Court to the FIR which has been annexed as Annexure P-1. Learned counsel has further submitted that there are three other co-accused who had allegedly inflicted injuries upon injured DSP Sanjeev Kumar and have

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since been enlarged on bail by this Court vide orders passed in CRM-M-48270-2021 dated 25.01.2022, CRM-M-6469-2022 dated 10.03.2022 and CRM-M-11687-2022 dated 24.03.2022 (Annexures-P2, P-3 and P-4) respectively. Learned counsel has still further submitted that even though challan was presented in the present case way-back on 17.08.2021, charges have yet not been framed. In the circumstances especially keeping in view the alleged role attributed to the petitioner, his further incarceration in the present case would serve no useful purpose.

3. Per contra, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, on instructions from SI Jasbir Singh, has not disputed the contents of the FIR nor has it been disputed that the petitioner has not been attributed any injury on injured DSP Sanjeev Kumar. It has also not been disputed by the learned State counsel, on instructions, that the petitioner was not stated to be present along with the co-accused, who allegedly inflicted injuries on injured DSP Sanjeev Kumar. However learned State counsel has submitted that after the occurrence in question, an enquiry dated 27.07.2020 was carried out by DSP Rajandeep Singh and in the said enquiry it came to light that the petitioner had also conspired with the co-accused to carry out the attack on the injured DSP Sanjeev Kumar. Learned State counsel has further placed on record the custody certificate of the petitioner and has submitted that a perusal of the same clearly reveals that the petitioner has criminal antecedents.



4. I have heard learned counsel for the parties and perused the relevant material placed on record.

5. In the present case the only role attributed to the petitioner is of being a conspirator to the attack which was allegedly carried upon injured DSP Sanjeev Kumar. The petitioner was not named in the FIR in question and his name as a conspirator came to the fore only subsequently when an enquiry into the attack was carried out by the police. No doubt, the petitioner has criminal antecedents, however, the custody certificate reveals that, at least in four of the cases pending against him, he is still in custody.

Be that as it may, keeping in view the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

August 14, 2024
poonam

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