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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-24341-2024
CRM-M-27910-2024
Date of decision:- 20.08.2024

1. CRM-M-24341-2024
- MANPREET SINGH ALIAS MANI ... Petitioner
- Versus
- STATE OF PUNJAB ... Respondent
2. CRM-M-27910-2024
- ANURAJ SINGH @ ANU ... Petitioner
- Versus
- STATE OF PUNJAB ... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. J.K.Singla, Advocate
for the petitioners.
Mr. Japjot Singh, AAG, Punjab.

SANJIV BERRY, J. (ORAL)

1. Both the petitions arising out of the same FIR for grant of regular bail have been taken up together for disposal.
2. The instant petitions have been preferred by the petitioners under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
20	15.03.2024	307, 324, 323, 148, 149 IPC (326 IPC was added vide DDR No. 39 dated 16.04.2024)	Joga, District Mansa



3. It is *inter alia* contended by learned counsel for the petitioners that the petitioners are innocent and have been falsely implicated in this case. He contend that petitioners were not named in the FIR nor any specific role has been attributed to them and they were arrested on 21.03.2024 and no recovery was effected from them. He contends that after completion of investigation the police has filed challan in the Court as such the petitioners are not required for further investigation. Hence, he prays for grant of concession of regular bail to the petitioners.

4. *Per contra* Learned State counsel referring to the reply dated 23.07.2024 submitted by the State submits that the petitioners although not named in the FIR but were found involved in the occurrence therein and the accused has given as many as 7 injuries on the person of the complainant by using deadly weapons. He submits that the challan has already been presented by the police in Court wherein 18 witnesses have been cited but none has been examined till date. He submits that considering the gravity of offence, petitioners do not deserve concession of regular bail.

5. After considering the rival contentions and going through the record, it transpires that in the instant FIR was registered against accused Jaspreet Singh @ Jassi and 15 unknown persons on the allegations that they had inflicted injuries on the complainant by using their respective weapons. During course of investigation the offence under Section 307 IPC was deleted and offence under Section 326 IPC was added. Later on the petitioners were nominated and were arrested on 21.03.2024. However, admittedly no recovery has been effected from the petitioners after their



arrest. Even otherwise, no specific role has been attributed to the petitioners in the alleged occurrence nor any specific injury is attributed to them. After completion of investigation challan has already been presented in Court wherein the prosecution has cited 18 witnesses but till date none of them have been examined. The petitioners are not having any other criminal case registered against them. In this manner, conclusion of trial will take sufficient long time to ascertain criminal liability, if any, of the petitioners and no useful purpose would be served by keeping the petitioners behind bars any longer.

6. Resultantly, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioners behind bars. Therefore, the present petitions are allowed. The petitioners are ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned/Judge on duty, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Photocopy of this order be placed on the file of connected case.

(SANJIV BERRY)
JUDGE

20.08.2024

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- i) Whether speaking/reasoned?
- ii) Whether reportable?

Yes/No
Yes/No