



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

CRM-M-27215-2024
Date of Decision: 16.07.2024

MOHAN SINGH (ACTUAL NAME IS JAGMOHAN SINGH)

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Shivender Pal Singh, Advocate for
Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Athar Ahmad, DAG, Punjab.

HARKESH MANUJA, J. (Oral)

1. This is a second petition filed under Section 439 Cr.P.C. for grant of regular in case bearing FIR No.16 dated 03.02.2023 under Sections 323, 307, 379-B, 341, 34 IPC registered at Police Station Koom Kalan, District Police Commissionerate Ludhiana, wherein the petitioner has been implicated of having given hammer blows on the head/skull of the injured-complainant resulting in the depressed comminuted fractures.
2. Learned counsel for the petitioner submits that the petitioner is in custody since 02.02.2023 and the trial of case may take long time, thus, prayer is for grant of bail.
3. Learned State counsel vehemently opposes the prayer made on behalf of the petitioner, while referring to the injuries inflicted by the petitioner upon the person of the injured-complainant and thus, prays for dismissal of the present petition.



4.

I have heard learned counsel for the parties and gone through the paper-book.
5.

In the present case, investigation already stands concluded with the filing of challan, followed by framing of charges, however, only two of the prosecution witnesses have been examined so far out of eleven witnesses cited by the prosecution and thus, the conclusion of trial may take some time. Moreover, the complainant-injured stands examined with there being no threat perception expressed by him at the hands of the petitioner, besides he being discharged from the hospital soon after the incident and the petitioner is not involved in any other case. Hence, this Court does not find any reason to extend his incarceration any further.
6.

In view of above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate concerned.
6.

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

Pending miscellaneous application(s), if any, shall also stand disposed of.

July 16, 2024
Sangeeta

(HARKESH MANUJA)
JUDGE

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