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**227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**CRM-M-31196-2024
Decided on : 20.08.2024

Harshdeep Singh @ Harsh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent : Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. This is the petition filed by the petitioner seeking concession of regular bail in case FIR No.63 dated 16.11.2023 under Sections 307, 342, 382, 323, 506, 148, 149 IPC and Sections 25/54/59 of Arms Act (Section 325 IPC added later on) registered at Police Station Airport, Amritsar.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and has now been in custody since 18.11.2023. While drawing the attention of this Court to the FIR, which has been annexed as Annexure P-1, learned counsel submits that the petitioner was neither named in the FIR in question nor was there any specific attribution qua him; he came to be nominated as an accused on the following day of the



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registration of FIR in a supplementary statement made by one injured Rachit Sharma, who merely stated that the petitioner on being called to the spot by the co-accused, beat up the injured witness. It has been submitted that the supplementary statement, which has been annexed as Annexure P-5, clearly reveals that there is no specific attribution qua the petitioner and even otherwise, the sole grievous injury, which was inflicted on the fore arm of the injured, has been attributed to the co-accused. Learned counsel has further submitted that in the facts and circumstances, more so, when investigation is complete, challan stands presented and charges framed, further incarceration of the petitioner would serve no useful purpose as the trial would take a lot of time to conclude.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner has not disputed the role attributed to the petitioner, and on instructions from SI Sulakhan Singh, has submitted that the only allegation levelled against the petitioner is of having physically assaulted the complainant. It has also not been disputed that the sole injury, which was declared grievous in nature, has been attributed to the co-accused. The stage of the trial has also not been disputed by the learned State counsel.

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

5. The petitioner has been in custody since 18.11.2023. The



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investigation in the case in hand is complete as challan stands presented. The trial would take considerable time to conclude.

6. In the facts and circumstances as enumerated hereinabove coupled with the fact that the investigation in the case in hand is complete, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds 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.

20.08.2024
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(MANJARI NEHRU KAUL)
JUDGE

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