

2024:PHHC:090138



214 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33215-2024
Decided on:-18.07.2024

Rajit @ Kaddu

....Petitioner..

VS.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present second petition filed under Section 439 Cr.PC, prayer has been made for grant of regular bail in case FIR No.90 dated 04.09.2023, registered under Sections 307, 323, 324, 506, 148, 149 IPC and Sections 25 & 27 of the Arms Act, 1959 at Police Station Shimlapuri, District Ludhiana, wherein the petitioner has been implicated with the allegations of having given 'dah' blow upon the person of injured-Lovepreet Singh.

2. On the other hand, the prayer made herein has been opposed at the instance of learned State counsel while referring to the antecedents of the petitioner, who is stated to be involved in one more case i.e. FIR No.169, dated 04.10.2022, under Section 21 of the NDPS Act, 1985 (Section 29-B of the NDPS Act and Sections 419 & 417 IPC added later on, at Police Station

Khanna City-2, Khanna.

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

4. In the present case, investigation already stands concluded with the filing of challan. The petitioner is in custody for the past almost 11 months and even charges have not been framed so far and thus, the trial is definitely going to take some time.

In the given fact wherein, injured-lovepreet Singh got discharged from the hospital soon after the incident, in such circumstances, I do not see any reason to extend the incarceration of the petitioner.

5. As regards the involvement of the petitioner in another case bearing FIR No.169 dated 04.10.2022, as per the information provided by learned State counsel, he has already been granted the concession of bail in that case.

6. In view of the 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/Illaq Magistrate/Duty Magistrate concerned.

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

18.07.2024

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No