

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-34402-2024 (O&M)
Date of Decision:- 26.09.2024

TIRATH SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Saurav Bhatia, Advocate for the petitioner.
Mr. Jatinder Pal Singh, Sr. DAG Punjab.
Mr. Kuljinder Singh, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in the DDR (Annexure P-2) registered in FIR No.50 dated 17.03.2024 (Annexure P-1) under Sections 323, 324, 341, 506, 148, 149 IPC at Police Station Sadar Ludhiana, District Ludhiana. The details of the DDR (Annexure P-2) are as under :-

DDR No.	Dated	Sections	Police Station
16	22.04.2024	323, 324, 325, 341, 506, 148, 149 IPC (326 IPC added later on)	Sadar Ludhiana, District Ludhiana

2. It is, *inter alia*, contended by learned counsel for the petitioner



that the petitioner is innocent and has been falsely implicated in the cross version registered vide DDR (Annexure P-2). He contends that FIR (Annexure P-1) was got registered by the father of the petitioner against the accused and as a counter-blast to the same, the said DDR (Annexure P-2) has been registered. He contends that the injury attributed to the petitioner is simple in nature and he is in custody since 14.05.2024. He further submits that in the meanwhile, a compromise (Annexure A-1) has been effected between the parties, hence prayed for grant of bail to the petitioner.

3. *Per contra*, learned State counsel has assailed the arguments of the learned counsel for the petitioner and submitted that the petitioner had caused injury to Sukhpreet Singh on his head, as such, he does not deserve the concession of bail. He has, however, admitted that the injury attributed to the petitioner is found to be simple in nature.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that the FIR (Annexure P-1) was registered at the instance of one Gareeb Singh, father of the petitioner and simultaneously, a cross-version vide DDR (Annexure P-2) was registered on the statement of Sukhjeet Kaur, wherein the petitioner has been arrested on 14.05.2024. The injury attributed to the petitioner happens to be simple in nature. Furthermore, it is evident from Annexure A-1 that the matter has been compromised between the parties and Challan has already been presented in Court. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time.



In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, 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. Pending miscellaneous application(s), if any, stand disposed of.

(SANJIV BERRY)
JUDGE

26.09.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |