

218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36458-2023
Date of Decision: 25.01.2024

Karan Kumar ...Petitioner
vs.
State of Punjab ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Anmol, Advocate with
Ms. Tanisha, Advocate, for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail in case FIR No.17 dated 14.01.2023 registered under Sections 307, 331, 353, 186, 149, 506 of IPC, at Police Station City Faridkot, District Faridkot.

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved by the local police. It was alleged that the petitioner was holding an interlock tile and gave a blow of the tile on the head of the police official with intention to kill him. While referring to the MLR (Annexure P-4), learned counsel for the petitioner contends that the injuries suffered by Iqbal Singh were simple in nature and the injured has been discharged from the hospital. Learned counsel further contends that the petitioner was arrested in the present case on 24.01.2023 and is in custody for the last about 01 year. Still further, the final report under Section 173 Cr.P.C. has already been presented in the present case. She further submits that co-accused-Gurpreet Singh alias Dhudi has been granted the concession of anticipatory bail by this Court vide

order dated 26.05.2023 (Annexure P-5), whereas co-accused, Rajni Rani has been granted the concession of regular bail by this Court, vide order dated 04.05.2023 (Annexure P-6). She further contends that since the witnesses are police officials, the petitioner is not in a position to influence the witnesses of the prosecution.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the present petitioner had attacked the police official and had torn his uniform also and keeping the gravity of the offence, the petitioner is not entitled to be released on bail, by this Court.

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

5. It is not in dispute that the petitioner was arrested on 24.01.2023 in the present case and the final report under Section 173 Cr.P.C. has already been presented on 13.04.2023. The conclusion of the trial may take quite a long time. Apart from that, the injuries suffered by the police official were simple in nature and co-accused, Gurpreet Singh @ Dhudi and Rajni Rani have already been granted the concession of bail. Thus, no purpose would be served by keeping the petitioner behind bars.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

25.01.2024
hemlata

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