



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M No.36724 of 2024
Date of Decision: 06.08.2024

Veer Singh ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vikas Gupta, Advocate,
for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner seeking regular bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
63	24.02.2024	Goindwal Sahib, District Tarn Taran	295, 186, 353, 332, 379, 411, 506, 148 and 149 of IPC

2. Brief facts of the case relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of statement recorded by Constable Harbhajan Singh 1732/TT posted at Police Post Dehra Sahib, alleging therein that on the same day, he along with ASI Suvinder Singh and some other police officials was present at Bus Stand Johal Dhari in connection with patrolling duty, when a secret information was received by ASI Suvinder Singh to the effect that the accused Amritpal Singh had stolen a Verna make car from somewhere and the same was lying parked in the Mand at Village

2024:PHHC:101030



Mundapind. It was also informed that the accused could be apprehended, if raided immediately. A raiding party was immediately formed which reached at the informed place and apprehended the accused Amritpal Singh. In the meanwhile, the petitioner Veer Singh who is father of the accused Amritpal Singh, along with co-accused reached there and started causing obstruction in performance of lawful duties of the police by objecting to the apprehension of accused Amritpal Singh. Accused Amritpal Singh caught hold of the complainant, threw him down in the mud, tore his police uniform and removed his turban. He along with other police officials was also extended beatings by the petitioner and his family members. The petitioner and the co-accused also managed to get the co-accused Amritpal Singh escape. The stolen car was recovered from the spot. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 28.04.2024. He moved an application for grant of bail, which was dismissed by the Court of learned Additional Sessions Judge, Tarn Taran on 21.06.2024.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody for over a period of three months. The subject offences are triable by Magistrate. His custodial interrogation is no more required. The trial is likely to take time. Therefore, it is urged that the petitioner deserves to be released on bail.

4. *Per contra*, learned State counsel who has advance notice of the petition by submitting that he is ready to argue the matter has stressed that the allegations against the petitioner are serious in nature as by forming

2024:PHHC:101030



membership of an unlawful assembly with the co-accused and in prosecution of common object of that unlawful assembly, he had assaulted the police officials, the complainant, caused obstruction in performance of their government duty and had criminally intimidated them. It is argued that there are serious allegations against the petitioner. Therefore, it is urged that he does not deserve to be released on bail.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record.

6. The petitioner is alleged to have caused obstruction in performance of lawful duty of the police officials and assaulted them as on 24.02.2024. The subject offences are triable by Magistrate. The petitioner is in custody since 28.04.2024. The trial is likely to take time. His further detention would not serve any useful purpose. It is well settled proposition of law that bail is the rule and jail is an exception. Therefore, in view of the discussion as made above but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petitioner deserves to be given concession of bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court.

06.08.2024
manju/Parveen Sharma

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No