

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207 CRM-M-41019-2023
Date of Decision.:03.05.2024

Sukhwinder SinghPetitioner
Vs.
State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Deepak Arora, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab
assisted by ASI Kartar Singh.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.40 dated 30.04.2023 registered under Sections 323, 324, 379, 34 of the IPC (Section 326 of the IPC added later on) registered at Police Station Sekhwan, Police, District Batala.

2. Reply by way of an affidavit of Shri Azad Davinder Singh, PPS, Deputy Superintendent of Police, Sub Division City Batala, Police District Batala along with custody certificate has been filed on behalf of respondent- State.
3. Learned counsel for the petitioner has also placed on record the copy of the statement of injured PW namely Shamsher Singh in order to contend that material witness has already been examined.
4. Learned counsel for the petitioner contends that only role

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attributed to the petitioner is to have given two datar blows on the right and left foot of the complainant and to have uttered the words that he will not let him escape.

5. On the other hand, learned State counsel has opposed the bail petition by submitting that as many as 11 injuries in total were caused on the person of the injured namely Shamsher out of which 03 were grievous.

6. As per the custody certificate placed on record, petitioner is in custody for the last 01 year, though he is involved in 02 more cases. The material witness namely Shamsher Singh has already been examined. On instructions from ASI Kartar Singh, it is also informed by learned State counsel that out of 20 witnesses cited by the prosecution only 02 have been examined so far. Thus, trial is likely to take long time to conclude.

7. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

May 03, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No