

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

278

CRM-M-41692-2024

Date of Decision: 03.09.2024

Harpreet Singh

...Petitioner

Vs.

State Of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Rajeev K. Kapila, Advocate, for the petitioner.

Mr. M. S. Bajwa, 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 a regular bail in case FIR No.0020 dated 11.01.2023 registered under Sections 394, 397 and 34 IPC at Police Station Model Town, District Hoshiarpur.

2. Learned counsel for the petitioner contends that FIR was initially registered against unidentified persons and the petitioner has been wrongly involved in the present case. He further contends that even till the conclusion of the investigation, police could not find any incriminating evidence against the present petitioner. He further contends that offence under Section 397 IPC was wrongly added in the present case as no deadly weapon was recovered from the petitioner.

3. As per learned counsel for the petitioner only one witness out of total 17 witnesses have been examined so far. The present petitioner was arrested in the present case on 23.01.2023 and no other case is pending against the present petitioner. Thus, further custody of the petitioner will serve no meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that the petitioner is not only looted the complainant but also caused injuries to him. He further contends that injury No.1, which has been attributed by the co-accused namely Naveen Kumar has already been granted the concession of regular bail by a Co-ordinate Bench on 28.07.2023 in case No.**CRM-M-25347-2023** titled as *Naveen Kumar Vs. State of Punjab* and the petitioner is also on same footing.

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

6. It is not in dispute that the co-accused Naveen has already been granted the concession of regular bail by a Co-ordinate Bench of this Court. The petitioner is stated to be in custody since 23.01.2023 and further custody of the petitioner will serve no meaningful purpose.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

03.09.2024

(N.S.SHEKHAWAT)

M.Sikka

JUDGE

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