

2024:PHHC:118743



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

CRM-M-43475-2024
Decided on:-10.09.2024

Harpreet Singh @ Baaz

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Mohit Kumar, Advocate,
for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present second petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail in case FIR No.10 dated 13.01.2024, registered under Sections 307, 353, 186, 323, 332, 341, 148, 149, 506 IPC and Sections 21 & 29 of the NDPS Act, 1985, Police Station City Sunam, District Sangrur, wherein the petitioner has been implicated with the allegations of having attacked the police party by giving kirpan blow on the head of the victim/injured Constable Inderjit Singh.

2. Learned counsel for the petitioner submits that investigation in the present case already stands concluded with the filing of challan, followed by framing of charges and the petitioner is in custody for the past almost 08 months and trial is likely to take some time and thus, prays for grant of concession of regular bail.

3. On the other hand, prayer has been vehemently opposed at the

instance of learned State counsel while referring to the serious allegations levelled in the FIR, wherein, the petitioner and his accomplices attacked the police party, thus, he prays for dismissal of the present petition.

4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

5. In the present case, investigation already stands concluded with the filing of challan, followed by framing of charges on 12.08.2024; the trial is likely to take some time. The petitioner is a young boy of 23 years of age, who is in custody for the past almost 08 months, besides it, he is not involved in any other case. Moreover, the other co-accused are already on bail and even the apprehension expressed by the Court below while declining the prayer made on behalf of the petitioner is misplaced as all the prosecution witnesses are police personnel and thus, there is no likelihood that the petitioner would be able to influence them.

6. Considering the aforesaid facts, this Court does not find any justification to extend the incarceration of the petitioner any further.

7. In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaq Magistrate/Duty Magistrate concerned.

8. It is made clear that this order may not be construed as an expression of opinion on merits of the case.

10.09.2024

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No