



CRM-M-44654-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(213)

CRM-M-44654-2024
Date of Decision : 13.09.2024

Jagsir Singh @ Raju ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON’BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Saqib Ali Khan, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

- Through the instant petition, filed under Section 483 of BNSS, the petitioner prays for grant of regular bail in case FIR No.217 dated 06.11.2022 under Sections 308, 323, 325, 506, 148 and 149 of the IPC, 1860 registered at Police Station Dhakha, District Ludhiana, Punjab (Annexure P-2).
- On asking for the relief of regular bail, learned counsel for the petitioner would submit that the petitioner has suffered incarceration of more than 07 months, as on today, and he is not involved in any other case. He further submits that out of seven co-accused, five have already been granted the relief of regular bail, by this Court. Learned counsel has further placed reliance upon the order dated 07.08.2023, passed by the coordinate Bench of this Court, wherein, the co-accused Gurcharan Singh @ Kala, has been

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granted the relief of regular bail, to submit that the case of the present petitioner is on co-pedestal.

3. Learned counsel further submits that as per the FIR (supra), the present petitioner, along with other co-accused, have caused the injury to one Harpreet Singh and Gurdeep Singh, He further submits that no specific injury has been attributed to the petitioner, though, he is stated to be a member of an unlawful assembly.

4. On the other hand, learned State counsel, on instructions imparted to him from the Investigating Officer concerned, has opposed the grant of relief of regular bail to the petitioner and submits that, he is the one, who was present with wooden stick and thereupon, he caused the injuries to both the injured. He further submits that Harpreet Singh suffered nine injuries, whereas, Gurdeep Singh, suffered five injuries, and all are grievous in nature.

5. Learned State counsel has also placed on record the custody certificate dated 12.09.2024, qua the petitioner, today in the Court. The same is taken on record. He further submits though the charges have been framed, but no prosecution witness has been examined, as on date, out of total 22 prosecution witnesses, as cited by the prosecution in the final report.

6. This Court has heard the rival submission of learned counsel for the parties concerned, and is of the view that the instant petition is amenable to be allowed.

7. Without commenting anything on the merits of the case, considering the period of incarceration i.e. more than 07 months, as on today, the role attributed to the present petitioner and the stage of the trial, further incarceration of the petitioner is not warranted at all, at this stage and this

Court deems it fit to enlarge the petitioner on regular bail. Accordingly, the instant petition is **allowed**.

8. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/trial Court/Duty Magistrate, concerned.

9. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

(KULDEEP TIWARI)
JUDGE

September 13, 2024
Manpreet

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