

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-49307-2023 (O&M)
Date of Decision:-26.2.2024

Abhi Kumar ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harpal Singh Sidhu, Advocate for the petitioner.

Mr. Gauravdeep Singh Dhaliwal, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
05	15.1.2023	City Sri Muktsar Sahib, District Shri Muktsar Sahib	323, 324, 379-B, 148, 149 of Indian Penal Code, wherein offence under Sections 326 and 201 IPC were added later on

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of Harpreet Singh, wherein it is alleged that on the day of occurrence i.e. on 13.1.2023, when he alongwith Gobind Lal and Akashdeep Singh were returning back after performing at some

function and were unloading the DJ equipment, then the accused namely Mani, Nanni, Abhi, Deepak and Vicky came there and snatched an amount of Rs.30,000/- and two laptops and also inflicted injuries upon them. It is further the case of prosecution that while complainant - Harpreet Singh sustained two injuries, Gobind Lal also sustained another two injuries. One of the injury found on the person of Gobind Lal was declared as a grievous injury. All the injuries were, however, inflicted on non-vital parts.

3. Status report by way of affidavit of Shri Satnam Singh, PPS, Deputy Superintendent of Police, Sub-Division Sri Muktsar Sahib, District Sri Muktsar Sahib has been filed by learned State counsel, which is taken on record.
4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that, in any case, the petitioner as on date has been behind bars since the last about 9 months and since the trial has not even commenced till date and as many as 17 PWs have been cited, the petitioner deserves the concession of bail particularly when he has a clean record.
5. Opposing the petition, learned State counsel submitted that since the name of the petitioner specifically figures in the FIR and it is the petitioner, who is attributed the grievous injury to Gobind Lal, his complicity is clearly evident. Learned State counsel has, however, informed that the petitioner is not involved in any other case and that as on date none out of the cited 17 PWs has been examined and that the petitioner has been behind bars since the last about 9 months and 3 days.
6. This Court has considered the rival submissions addressed before this Court.

7. Without commenting anything as regards merits of the case, but having regard to the custody of the petitioner i.e. about 9 months and 3 days and also the fact that conclusion of trial is likely to take some time as the trial is yet to commence and as many as 17 PWs have been cited, further detention of the petitioner, who otherwise enjoys a clean record, will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

26.2.2024
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No