

229-4

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49208-2023 (O&M)

Date of decision : 14.02.2024

Amritpal Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Yajur Sharma, Advocate,
for the petitioner.

Ms. Avneet, AAG, Punjab,
assisted by ASI Dilbag Singh.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.59 dated 01.06.2023, under Sections 326, 452, 323, 324, 506, 148 read with Section 149 (Sections 325 & 326 added subsequently) of the Indian Penal Code, 1860 (*for short 'the IPC'*), registered at Police Station, Sultanwind, District Police Commissionerate, Amritsar.

2. Allegations are that petitioner along with other co-accused armed with deadly weapons, trespassed into the house of complainant; criminally intimidated; and gave beatings to the complainant party.

3. This Court granted interim bail to the petitioner on 30.11.2023 and relevant part of the same is extracted as under:-

“Contends that there is no other case pending against the petitioner and co-accused has already been granted the concession of interim bail by this Court.

Learned State counsel seeks time to have instructions in the matter.

Posted for 14.02.2024.

In the meantime, petitioner is ordered to be released on interim bail in the present case till the next date of hearing on furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

To be heard along with CRM-M-37683-2023.”

4. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 30.11.2023 and he is regularly appearing before learned trial Court. There is no apprehension that petitioner is likely to influence the prosecution witnesses or hamper the trial, in any manner.

5. Learned State Counsel, on instructions, has fairly acknowledged the above factual position.

6. Heard learned counsel for both the sides and perused the paper book.

7. Petitioner was granted interim bail by this Court and he is regularly appearing before the Court below; there is no allegation that he is likely to misuse the concession of bail or hamper the proceedings in case his interim bail is made absolute; thus, sending him in custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 30.11.2023, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
9. Petitioner shall appear on each & every date and fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).
10. The above observations may not be construed as an expression of opinion on the merits of the case.
11. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.
12. Pending application(s), if any, shall also stand disposed off.

14.02.2024
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

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