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

CRM-M-48719-2024**Date of Decision: 03.10.2024**

Suraj Kumar

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

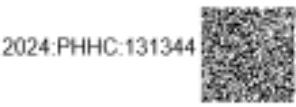
Present : Mr. Davinder Singh, Advocate, for the petitioner.

Mr. Deepinder Singh Brar, Senior DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.145 dated 26.11.2023 registered under Sections 326, 506, 148, 149 of IPC, at Police Station Sarabha Nagar, Ludhiana, District Ludhiana.

2. Learned counsel for the petitioner contends that the FIR in the present was registered on the basis of the statement made by Harvinder Singh, complainant after a delay of about 14 days. The petitioner was not named in the FIR initially and has been falsely involved on the basis of the supplementary statement made by the complainant on 16.08.2024 i.e. after 09 months of the occurrence. He further contends that the petitioner is in custody since 16.08.2024 and the challan has already been presented by the police qua his co-accused. Moreover, similarly placed co-accused, namely, Shanker and Kanhaiya @ Kanhiya have already been granted the concession of bail by this



Court vide orders Annexures P-2 and P-3 respectively. He further submits that the petitioner is the first offender.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. The petitioner was not initially named in the FIR and has been nominated as an accused on the basis of the supplementary statement suffered by the complainant, after 09 months of the occurrence. The petitioner is in custody since 16.08.2024 and his further custody will not serve any meaningful purpose. Apart from that, similarly placed co-accused Shanker and Kanhaiya @ Kanhiya have already been granted the concession of bail by this Court vide Annexures P-2 and P-3 respectively.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

03.10.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned :
Whether reportable

:
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Yes/No
Yes/No