



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

CRM-M-49212-2024
Date of Decision: 24.10.2024

SANDEEP SINGH
....Petitioner

VERSUS

STATE OF PUNJAB
....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Rhythem Bajaj, Advocate for the petitioner.

 Mr. Inderjeet Singh Ladher, DAG, Punjab.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 483 of BNSS is for grant of regular bail to the petitioner in case FIR No.35 dated 18.03.2024 registered for the offences punishable under Sections 324, 323, 148, 149, 506 of IPC (Sections 325, 326 of IPC added later on) at Police Station Lambi, District Sri Muktsar Sahib.

2. The allegations in nutshell are that on 16.03.2024 at about 7.00 PM, present petitioner armed with sword, co-accused Pargat Singh armed with sword, Rinku armed with iron rod, Amandeep Singh armed with handle of spade, Nikka Singh armed with iron pipe and Avtar Singh armed with brick bats attacked complainant Baljinder Singh and caused injuries to him and at that time present petitioner gave sword blow with its blunt side which hit on the inner portion of left hand of Baljinder



Singh. During investigation, the present petitioner was arrested and got effected the recovery of weapon used by him in commission of crime.

3. Counsel for the petitioner *inter alia* submits that petitioner is falsely implicated in the present case and is in custody for the last more than 2 months and 21 days. The injury attributed to the present petitioner comes under provision of Section 325 of IPC which is a bailable offence. It is further submitted that co-accused Amandeep Singh is already granted concession of anticipatory bail by this Court. That main accused Pargat Singh is already arrested by the police along with other accused persons. That in the given circumstances as it will take time for the trial to conclude even after the presentation of challan, no gainful purpose is going to be served by prolonging the judicial custody of the petitioner.

4. Present petition is resisted by the State Counsel, who on instructions from ASI Sarbjit Singh submits that petitioner was member of unlawful assembly which caused injuries to the complainant. However, the State counsel has not disputed the fact that one grievous injury caused with blunt weapon on the left hand of the complainant is attributed to the present petitioner which attracts bailable offence.

5. I have considered the submissions made by the counsel for the parties.

6. Admittedly, the recoveries in this case are already effected and the petitioner who is in custody for the last more than 2 months and 21 days is presently lodged in judicial custody and the specific injury



which is attributed to the present petitioner comes under bailable offence. It will take time for the trial to terminate as till date challan has not been presented. In the given circumstances, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

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

24.10.2024
Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

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