

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

211

CRM-M-52149-2023
Date of decision : 15.01.2024

Lala Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present : Mr. Sandeep Gahlawat, Advocate
for the petitioner.

Mr. Shubham Kaushik, AAG, Punjab.

HARKESH MANUJA.J. (ORAL)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No. 0029 dated 03.02.2022 registered under Sections 323, 341, 324, 34 and 379 (Sections 307 and 120-B IPC added lateron) of IPC at Police Station Bhawanigarh, District Sangrur, wherein the petitioner has been implicated on the basis of disclosure statement made by his co-accused Harbans Singh and Jarnail Singh @ Bagga for allegedly having caused injuries to the complainant and having snatched mobile phone from him.

2. The prayer made on behalf of the petitioner has been opposed by learned State counsel while submitting that the petitioner gave injuries to the complainant and he is involved in one another criminal case of similar

nature.

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

4. The petitioner has already undergone incarceration of more than 10 months now and the charges have also been framed. Though the petitioner is involved in one another criminal case, however, he is on bail in the said case. In addition, two co-accused in the present FIR namely Harbans Singh and Jarnail Singh @ Bagga have already been granted the concession of regular bail by this Court vide order dated 24.03.2023. Moreover, the petitioner out of his own volition is willing to compensate the complainant for a sum of Rs. 20,000/- to be paid at the time of submission of his Surety/bonds before the trial Court. It is made clear that the aforesaid deposit shall be without prejudice to his rights in the trial.

4. Considering the fact that the investigation in the present case, already stands concluded with the filing of challan and trial is likely to take some time, besides it, the petitioner is already behind the bars for the last almost more than 10 months now, I do not find any reason to extend the incarceration of the petitioner any further.

5. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

6. It is made clear that this order may not be construed as

expression of an opinion on the merits of the case.

(HARKESH MANUJA)
JUDGE

15.01.2024
monika

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