



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201)

CRM-M-49457-2024
Date of Decision : 21.10.2024

Bikramjit Singh @ Gagni

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gagandeep Singh Virk, Advocate for the petitioner.
Mr. Amarpreet Singh Bains, Asstt. Advocate General, Punjab.
Mr. Ashdeep Singh, Advocate for the complainant.

Harsimran Singh Sethi J. (Oral)

1. The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 37 dated 30.03.2021, registered under Sections 302, 307, 506, 148, 149 IPC and Section 25, 27 of Arms Act at Police Station Mullanpur, District SAS Nagar, Punjab.
2. Learned counsel for the petitioner argues that the petitioner is similarly situated as Prince @ Princa. Learned counsel submits that there is no allegation of any injury attributed to the petitioner and only allegation is with regard to the Lalkara, which was also against Prince @ Princa, who has already been granted the concession of regular bail vide CRM-M-37896 of 2024, decided on 27.09.2024.
3. Notice of motion.



4. Mr. Amarpreet Singh Bains, Asstt. Advocate General, Punjab, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

5. Learned State counsel submits that the petitioner was also present along with the other accused though, he concedes the factum that there are no injury attributed to the petitioner either on the deceased or any other victim and further no role of the petitioner in the incident which led to the filing of the FIR has come on record so far. Learned State counsel also concedes that as of now, the petitioner has suffered incarceration for a period of 03 years, 06 months and 13 days and in the trial, out of 21 cited witnesses, 09 have been examined.

6. Learned counsel appearing on behalf of the complainant submits that once, the petitioner was member of an unlawful assembly, the petitioner has rightly been roped in though, he also concedes the fact that no injury has been attributed to the petitioner and he is behind bars for the last more than 03 years, 06 months and 13 days as well as the fact that the similarly situated co-accused, Prince @ Princa has already been extended the concession of regular bail.

7. I have heard learned counsel for the parties and have gone through the record with their able assistance.

8. Once, there is no injury which has been attributed to the petitioner to have been inflicted either upon the deceased or upon any injured person and no fact relating to the incident which involve the petitioner has come on record so far coupled with the fact that the similarly situated co-accused has already been granted the concession of bail with the further



observation that the petitioner has already undergone incarceration for a period of 03 and half years and as of now in the trial, out of the total 21 cited witnesses, only 09 have been examined, no justifiable reason exists so as to continue the incarceration of the petitioner during the entire period of trial, especially when, learned counsel for the petitioner has undertaken before this Court that the petitioner will not influence the trial in any manner and will maintain good conduct, if he is granted bail. In case of default of the undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

- 9. The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.
- 10. However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

October 21, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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