

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223

CRM-M-56089-2023
Date of Decision.:21.02.2024

Nirmal Singh @ Nimma
Vs.
State of Punjab

.....Petitioner
.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. A.S. Sekhon, Advocate for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

Mr. Butta Singh Bairagi, Advocate for the complainant.

DEEPAK GUPTA, J. (ORAL)

Status report by way of an affidavit of Shri Shamsheer Singh, PPS, Deputy Superintendent of Police, Sub Division Faridkot, District Faridkot along with custody certificate has been filed on behalf of respondent- State.

2. The petitioner prays for his release on regular bail, by way of present petition filed under Section 439 Cr.P.C, in case FIR No.64 dated 10.04.2022 registered under Sections 307, 324, 323, 506, 148, 149, 120-B of the IPC (Sections 326, 325 of the IPC added later on) registered at Police Station Sadar Faridkot, District Faridkot.
3. Petitioner is attributed to have given three kapa blows on the head of the complainant Gurpiar Singh. One of the injury on the head of Gurpiar Singh has been opined to be endangering to his life, on the basis of which Section 307 of the IPC was added.
4. Learned counsel for the petitioner contends that petitioner is in custody for the last more than 01 year and 09 months; that all the material

witnesses including the injured Gurpiar Singh to whom the injury is attributed by the petitioner; & another injured Mahinder Singh have already been examined; that trial may take time to conclude and so, he be allowed bail.

5. Learned State counsel along with learned counsel for the complainant opposed the bail petition by pointing towards the criminal antecedents of the petitioner and that petitioner is attributed to have given injuries on the head of the complainant.

6. Heard.

7. Custody certificate reveals that petitioner is in custody for the last 01 year 09 months and 17 days. Admittedly both the injured Gurpiar Singh and Mahinder Singh have already been examined. Though petitioner is involved in four more cases but has already been acquitted in one of them. Out of the 25 witnesses cited by the prosecution, only 07 have been examined so far as informed by learned State counsel and thus, trial is likely to take long time to conclude.

8. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

February 21, 2024

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No