



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

CRM-M-52701-2024

Date of decision: 22.11.2024

Harwinder Singh @ Baba

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Rakesh Gupta, Advocate for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 483 of BNSS 2023 seeking grant of regular bail to the petitioner in case having FIR No.327 dated 26.07.2024, under Sections 112(2), 115(2), 117(2) (offence added later on vide GD No.53 dated 08.10.2024 Sections 126(2), 190, 191(3), 304(2), 351(3) of BNS 2023, registered at Police Station Zirakpur, District SAS Nagar.

2. As per the allegations appearing on the record, the petitioner and other accused persons attacked complainant Manish Kumar on 21.07.2024 and caused injuries to him with various weapons. During investigation, the petitioner was arrested on 06.09.2024.

3. The counsel for the petitioner submits that the petitioner is falsely roped in the present case and otherwise also as per the allegations made by the complainant, the petitioner who was armed with wooden



danda gave its blow on the left arm of the complainant. It is further submitted that the injuries attributed the present petitioner were found to be simple in nature. That police has presented the challan but it will take time for the trial to conclude. In the given circumstances, no purpose is going to be served by keeping the petitioner in custody for any longer period.

4. The State counsel on instructions from Inspector Jaskanwal Singh submits that petitioner was the member of the unlawful assembly which attacked and caused injuries to the complainant with various weapons including sharp edged weapons. However, the State counsel has not disputed the fact that only simple injuries caused with blunt weapon i.e. wooden *danda* are attributed to the present petitioner who is having no criminal history. The State counsel also apprised the Court that challan stands presented but trial is still to commence.

5. The present petition is also resisted by counsel appearing on behalf of the complainant who submits that the petitioner was member of the unlawful assembly and the members of the said unlawful assembly caused grievous injuries to the complainant, as is clear from the medical report submitted by the concerned doctor of GMCH, Sector-32, Chandigarh.

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

7. It is apparent that the petitioner who was armed with wooden *danda* caused simple injuries to the complainant. The other grave offences are attracted against the present petitioner only with the aid of Section 190 of BNS 2023. As per the medical report given by Emergency Medical Officer, GMCH, Sector-32, Chandigarh, the injuries were not found

dangerous to life. The copy of the said report is taken on record. Petitioner is having no criminal antecedents and presently lodged in judicial custody. Further, on completion of investigation, challan has been presented by the police. Even, after the commencement of trial, it will take time for the trial to terminate. Thus, no purpose is going to be served by keeping the petitioner in custody for any longer period.

8. In light 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.

22.11.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

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