

2112024:PHHC:001553

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56953-2023

Date of Decision: January 09, 2024

GURWINDER SINGH.....Petitioner

Versus

STATE OF PUNJAB.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Balkarm Aulakh, Advocate and
Mr. Ripudaman Singh Brar, Advocate for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

Mr. Sarabjit Singh, Advocate for the complainant.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition, prayer has been made for grant of regular bail in case FIR No. 158 dated 08.07.2019 registered under Sections 307, 323, 324, 325, 326, 336, 148 & 149 of IPC and Sections 25 and 27 of Arms Act at Police Station Beas, District Amritsar wherein, the petitioner was implicated for having inflicted iron rod blows on the calf muscle of the right leg as well as on the back of the right ankle of the complainant-injured.
2. The prayer made herein has been opposed at the instance of learned State counsel as well as learned counsel for the complainant while submitting that the petitioner was declared proclaimed offender and thus, having evaded the process of law, does not deserve the concession of regular bail.

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. In the present case, investigation already stands concluded with the filing of challan followed by framing of charges and the petitioner has already suffered incarceration for a period of almost 5 months by now, thus, the extension of his incarceration would not serve any purpose as trial is likely to take some time. Moreover, the petitioner is not involved in any other case, besides it, the injuries alleged in the FIR are on the non-vital part on the person of complainant-injured. Considering the aforesaid circumstances, this Court does not find justification to extend his incarceration any further.

6. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, 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.

09.01.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

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