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

CRM-M-54636-2024**Date of Decision: 08.11.2024**

Balvir Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. H. S. Chaddha, Advocate, for the petitioner.
Mr. Rubal Pawar, Assistant Advocate General, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant a regular bail to the petitioner in case FIR No.42 dated 13.06.2024 registered under Sections 323, 324, 341, 308, 506 and 34 of IPC at Police Station Nurpur Bedi, District Rupnagar.

2. Learned counsel for the petitioner contends that in the present case, FIR was initially registered on the basis of the statement of Nirmal Singh son of Ratan Singh, complainant, who alleged that on 11.06.2024, two unknown persons had attacked him and inflicted injuries on his person with an axe. He raised noise to save him and certain passersby had intervened. He was shifted to the hospital after suffering the injuries and he prayed for taking action against the unknown persons. Learned counsel further contends that the petitioner was not named in the FIR and has been falsely involved in the present case without any evidence. Even as per the version of the prosecution, the petitioner had caused an injury with a bamboo stick, which was later on, shown to have been recovered from him. The petitioner was arrested in the present case on 14.06.2024 and the final report under Section 173 Cr.P.C. has already been presented before the Competent Court. He further contends that even otherwise injury No.1, suffered by Nirmal Singh son of



Ratan Singh, has been declared to be grievous in nature and injury No.2 to 8 are simple in nature. He further contends that similarly placed co-accused Gurmukh Singh has already been granted the concession of regular bail by this Court vide order dated 21.10.2024 passed CRM-M-50457-2024.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner is in custody for the last more than 05 months and the injured has already been discharged from the hospital. Apart from that, final report under Section 173 Cr.P.C. has already been presented against the petitioner and the trial is not likely to conclude in near future. Apart from that, similarly placed co-accused Gurmukh Singh has already been granted the concession of regular bail by this Court vide order dated 21.10.2024.

6. In view of the above, without commenting any further on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

08.11.2024.
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(N.S.SHEKHAWAT)
JUDGE

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