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

CRM-M-56567-2024**Date of Decision: 20.11.2024**

Shamsher Singh alias Shera

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Malkiat S. Hundal, Advocate (through VC)
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, 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 regular bail to him in case FIR No.33 dated 18.03.2024 registered under Sections 307, 324, 323, 326, 336, 295, 427, 452, 506, 148, 149 of IPC and Sections 25, 27, 54, 59 of Arms Act, at Police Station Chattiwind, Amritsar.

2. Learned counsel for the petitioner contends that as per the allegations levelled by the complainant, the petitioner had caused an injury with an iron rod on the head of Akashdeep Singh, son of the complainant. He further contends that Akashdeep Singh was referred for X-ray examination, but he refused to get the X-ray conducted. Learned counsel further contends that the petitioner was arrested in the present case on 24.03.2024 and is in custody for the last more than 7 months. After completion of the investigation, the final



report under Section 173 Cr.P.C. has already been presented against the petitioner and the conclusion of the trial may take quite a long time.

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. As per the record, even a case of version and cross version and the question of aggressor is yet to be adjudicated by the trial Court. Even the brother of the petitioner had suffered a head injury and a cross version was recorded vide DDR No.22 dated 24.05.2024. Moreover, the petitioner is in custody for the last more than 7 months and the challan has already been presented against him. Thus, custody of the petitioner will not serve any meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

20.11.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No