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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56888-2024 (O&M)

Date of decision : 11.12.2024

Sajanpreet Singh @ Sajan Singh**.....Petitioner****versus****The State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. G.S. Dhaliwal, Advocate
for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed by the petitioner praying for grant of regular bail in case FIR No.79 dated 27.07.2024, under Sections 115(2), 118(1), 190, 191 of the Bharatiya Nyaya Sanhita, 2023 and Section 118(2) of the Bharatiya Nyaya Sanhita, 2023 added later on, registered at Police Station Kabarwala, District Sri Muktsar Sahib.

2. Succinctly the facts of the case are that the FIR was registered on the statement of complainant-Lovepreet Singh. It has been alleged that on 23.07.2024 at about 09:00 PM when he was going, he was waylaid by the petitioner and his accomplices. They started beating him. Petitioner gave a daggar blow on his little finger. He was admitted in the hospital and request was made to take legal action against all the culprits. On registration of the FIR, investigation commenced. Petitioner was arrested on 04.10.2024. He approached the Court of learned Judge, Special Court, Sri Muktsar Sahib praying for the grant of bail. However, finding no merit in the same, learned Judge, Special Court, Sri Muktsar Sahib declined the same vide his order dated 07.11.2024. Hence, petitioner is before this Court



by way of filing the present petition.

3. Learned counsel for the petitioner has submitted that the petitioner and complainant both are of young age however, the allegations have been manipulated. He submits that in all, there are 09 accused named, out of which, 07 accused have been granted anticipatory bail by this Court. He submits that the petitioner is a student of BA 2nd Year and he was granted interim bail by this Court to appear in his examination. He submits that after his release on interim bail, petitioner duly appeared in the exam and surrendered back before the jail authorities as per directions of this Court. It has been submitted that petitioner has no criminal antecedents and thus, he deserves to be granted regular bail.

4. Learned State counsel however, has submitted that the petitioner was armed with daggar (kappa) and had caused injury to the complainant which is grievous in nature. He submits that the investigation is under progress and challan is yet to be presented. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner is behind bars since 04.10.2024. As per the allegations, he along with co-accused caused injuries to the complainant. Out of 09 accused, 07 accused have already been granted anticipatory bail by this Court. Custody certificate produced by the learned State counsel would reflect that petitioner is not involved in any other case.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner

succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

11.12.2024
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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