

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215-10

CRM-M-61920-2023

Date of decision: 09.01.2024

Kuldeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gobind Singh Randhawa, Advocate
for the petitioner.

Mr. Arun Luthra, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.093 dated 21.05.2023 under Sections 307, 353, 186, 332, 342, 148, 149, 506 of the IPC, registered at Police Station Beas, Police District Amritsar (Rural) and District Amritsar.

2. Learned counsel for the petitioner inter alia contends that false and fabricated allegations have been levelled against the petitioner of having inflicted a danda blow in the head of injured Head Constable Harjit Singh which injury was found to be simple in nature. It has been further submitted that the petitioner has now been in custody since 26.06.2023 and after the challan was presented on 25.07.2023, the trial had not made any progress as even charges had not yet been framed. It has been further submitted that the petitioner has clean antecedents and is not involved in any other criminal case.

3. Per contra, learned State counsel while opposing the prayer

made by learned counsel for the petitioner, on instructions from ASI Balwinder Singh and Constable Jagpreet Singh, has not disputed the stage of trial. However, he submits that the petitioner was armed with a danda with which he inflicted an injury on the person of Head Constable Harjit Singh while he had gone to the house of Rajwant Kaur and thereafter had locked him up inside a room.

4. On a pointed query put to the learned State counsel, he on instructions has, however, conceded that the alleged injury inflicted by the petitioner was declared to be simple in nature.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. In the facts and circumstances as enumerated hereinabove, there is no likelihood of the trial concluding in the near future as charges have not yet been framed. This Court, therefore, deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

09.01.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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