



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

242

CRM-M-58394-2024

Date of decision: 05.03.2025

Kabal Singh @ Mannu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. L.M. Gulati, Advocate
for the petitioner.

Mr. Baljinder Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in cross version recorded vide DDR No.30 dated 08.01.2024 under Sections 307, 323, 324, 160, 148, 149 of the IPC and Sections 25, 27, 54, 59 of the Arms Act, 1959 (Sections 212, 216, 120-B and 201 of the IPC added lateron) in case FIR No.132 dated 13.11.2023 under Sections 302, 307, 160, 323, 324, 148, 149 of the IPC and Sections 25, 27, 54, 59 of the Arms Act, 1959 (Sections 212, 216, 120-B and 473 of the IPC added lateron) registered at Police Station Division-D, Amritsar City, District Amritsar.

2. Learned counsel for the petitioner has, at the outset, drawn the attention of this Court to the contents of the DDR which has been annexed as Annexure P-2. Learned counsel has *inter alia* argued that a perusal of the DDR clearly reveals that although the petitioner has been



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named therein, however, no role much less any injury fatal or otherwise has been attributed to the petitioner. It has been contended that the only role attributed to the petitioner in the alleged occurrence is of being present along with the co-accused. It has also been submitted that it is a case of version and cross version wherein one person from the side of the petitioner succumbed to the firearm injuries and two other persons sustained firearm injuries also. It has also been contended by the learned counsel that since the investigation in the present case is complete, further incarceration of the petitioner would serve no useful purpose as the trial would take considerable time to conclude with the charges likely to be framed only on the next date of hearing coupled with the fact that as many as 42 witnesses have been cited.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not disputed that the petitioner had not been attributed any role much less any injury on the person of the opposite party; it has also not been disputed, on instructions, that a perusal of the allegations levelled in the FIR (Annexure P-1) and DDR in question (Annexure P-2) reveals that apparently it was a case of sudden quarrel between two armed groups of people and both the sides received injuries at the hands of each other. Learned State counsel, on further instructions, has not disputed the stage of trial.

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

5. As not disputed by the learned State counsel, it is a case of

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version and cross version wherein both the parties allegedly received injuries at the hands of each other. The possibility of the trial concluding in the near future seems unlikely as the charges are likely to be framed only on the next date of hearing coupled with the fact that as many as 42 witnesses have been cited. In the present case the petitioner has not been attributed any injury, much less on the person of the deceased. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. 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.

7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

05.03.2025

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**(MANJARI NEHRU KAUL)
JUDGE**

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