



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

CRM-M-60722-2024

Date of Decision: 25.02.2025

Nihal Singh

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Vaibhav Goel, Advocate
 for the petitioner.

Mr.M.S.Bajwa, Deputy 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 regular bail to him in case FIR No.42 dated 17.03.2024 registered under Sections 302, 148, 149, 120-B of IPC, at Police Station City Sri Muktsar Sahib.

2. Learned counsel for the petitioner contends that the petitioner is aged about 84 years and has been falsely involved in the present case. As per the allegations levelled by the complainant, the only role attributed to the petitioner is that he had caught hold of the complainant, while he was caused injuries by the others. He contends that the complainant in the present case is aged about 29 years, whereas, the petitioner is aged about 84 years and the allegation on the face of it, is highly improbable and unbelievable. Learned counsel further contends that the petitioner had exhorted all other co-accused to cause injuries to the injured and the deceased in the present case and no specific injury has been attributed to him. Learned counsel further contends that the



petitioner was arrested in the present case on 18.03.2024 and is in custody for the last more than 11 months. The police has completed the investigation and challan has been presented against him. Learned counsel has placed reliance on the order dated 28.10.2024 (Annexure P-2), passed by this Court, whereby Jasveer Kaur, similarly placed co-accused has been granted the concession of bail by this Court.

3. On the other hand, reply by way of an affidavit of Deputy Superintendent of Police, Sub-Division Sri Muktsar Sahib, District Sri Muktsar Sahib has been filed on behalf of the respondent-State in Court today and the same is taken on record. 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. However, he admits that there is no other criminal case against him.

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

5. In the present case, only role attributed to the petitioner is that he had exhorted all other accused to cause injuries and had caught hold of the complainant. However, no other role has been assigned to him. Moreover, the petitioner is aged about 84 years and his wife Jasveer Kaur has already been admitted to bail, keeping in view her old age.

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.

25.02.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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