

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

CRM-M-10267-2015

Date of decision: 24.08.2015

Jaspal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. L.S. Sidhu, Advocate
for the petitioner.

Mr. K.D. Sachdeva, Addl. AG, Punjab.

Ms. G.K. Mann, Advocate
for the complainant.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in cross-version case recorded vide DDR No.26 dated 12.12.2014 under Sections 302, 307, 324, 452, 427, 148, 149 IPC and Sections 25, 27, 54, 59 of Arms Act in case FIR No.261 dated 12.12.2014 under Sections 302, 307, 324, 452, 427, 148, 149 IPC and Sections 25, 27, 54, 59 of Arms Act, registered at Police Station Lopoke, District Amritsar.

Learned counsel for the petitioner submits that although the allegation against the petitioner was that he was armed with a datar but no datar injury has been found on the person of the deceased. He further submits that petitioner also suffered a bullet injury on his foot. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from SI Tajinder Singh, Police Station Lopoke, District Amritsar, submits

that the presence of the petitioner has been established at the time and place of occurrence. He prays for dismissal of the present petition.

After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that in the peculiar facts and circumstances of the case, petitioner has been found entitled for bail pending trial. It is so said because no datar injury has been found on the person of the deceased. Petitioner has also suffered a bullet injury on his foot. Further, conclusion of trial is also likely to take some time.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, instant petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

24.08.2015
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