

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

**Criminal Misc. No. M-11927 of 2015 (O&M)
Date of Decision: 24.4.2015**

Sukhdev Singh

....Petitioner.

Vs.

State of Punjab

....Respondents.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Salil Bali, Advocate
for the petitioner.

Mr. Jatinder Pal Singh, Advocate
for the complainant.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 142 dated 2.9.2014 under Sections 307/341/148/149 IPC, and Sections 25/27/54/59 of the Arms Act registered at Police Station Cantt. Ferozepur.

Notice of motion.

On the asking of the Court, Mr. K.D.Sachdeva, Additional A.G. Punjab accepts notice.

Learned counsel for the petitioner submits that it was a case of version and cross version. For this purpose, he places reliance on Annexures P-2 and P-3. He further submits that since the petitioner side also suffered injuries at the hands of the complainants, petitioner is entitled for bail pending trial. He also submits that all the co-accused of the petitioner as well as accused from the complainant side in the cross version case have already been granted the concession of the bail pending trial. He prays for allowing the petition.

On the other hand, learned counsel for the State, on instructions from ASI Ramesh Kumar, Police Station Cantt, Ferozepur, submits that petitioner is the main accused. Specific and direct allegations have been levelled against the petitioner. A firearm has also been recovered from the petitioner. He further submits that injury caused by the petitioner has been found to be on the vital part of the body of Gurlal Singh, i.e. chest and right arm. He concluded by submitting that since the police report under Section 173 Cr.P.C., has already been presented to the court of competent jurisdiction, trial will be concluded within a reasonable time. He prays for dismissal of the petition.

Having heard the learned counsel for the parties and after careful of the record of the case, this Court is of the considered opinion that since the specific role has been attributed to the petitioner and corresponding injury has been found on the vital part of the body, petitioner is not found entitled for the concession of the bail pending trial. Further, since the challan has been presented, trial will not take long time.

Keeping in view the totality of facts and circumstances of the case and without commenting any further, lest it should prejudice the rights of either of the parties, no case for bail pending trial is made out, at this stage.

Dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

24.4.2015
AK Sharma