

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

CRM No.M-12764 of 2015 (O&M)

Date of decision:28.05.2015

Kirpal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vishal Munjal, Advocate for the petitioner.

Mr. Nikhil K. Chopra, DAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the instant petition filed under Section 439 Cr.P.C. seeking the benefit of regular bail to the petitioner in case FIR No.53 dated 16.06.2012, under Sections 302/307/323/336/148/149 IPC and Sections 25/27/54/59 of the Arms Act, registered at Police Station Ghuman Kalan, District Gurdaspur.

Counsel for the parties have been heard at length.

Deceased in the present case is Harjinder Singh. The date of alleged occurrence is stated to be 16.06.2012. Main accused in the present case is Jagjit Singh, who had allegedly fired a shot from his .32 bore revolver and which hit Harjinder Singh on the left side of his chest. Insofar as the present petitioner is concerned, even as per prosecution version, he was stated to be armed with a stick.

It has gone uncontroverted that co-accused, Gurmit Singh and Rajwinder Singh, who are similarly situated and against whom identical

allegations were raised, have been granted the benefit of regular bail by this Court.

That apart, it may be noticed that the trial is still at the initial stage inasmuch as out of 29 prosecution witnesses only 4 have been examined till date. Petitioner has been in custody since 08.08.2014.

In an overview of the matter the petitioner is held entitled to the concession of bail.

Accordingly, petition is allowed. Petitioner, Kirpal Singh be enlarged on bail subject to the satisfaction of trial Court/CJM, Gurdaspur.

Disposed of.

28.05.2015
harjeet

(TEJINDER SINGH DHINDSA)
JUDGE