

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

CRM-M No.13582 of 2015 (O&M)

Date of Decision: 07.10.2015

Sukhpreet Singh @ Sukha

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Akashdeep Singh, Advocate for the petitioner.

Mr. K.S.Sidhu, Deputy Advocate General, Punjab
for the respondent along with H.C. Dilbagh Singh.

JASWANT SINGH, J. (Oral)

Prayer in the present petition is for grant of regular bail to the petitioner in case FIR No.113 dated 23.11.2013, under Sections 307, 148, 149 of the Indian Penal Code and Sections 25, 54, 59 of the Arms Act, registered at Police Station Nurpur Bedi, District Rupnagar.

The name of the petitioner has surfaced in the supplementary statement given by the complainant-Ajwinder Singh with the allegation that the petitioner along with his co-accused had attacked the complainant party, and the petitioner is alleged to have fired at Gurmeet Singh, who has received gun shot injuries.

Learned Counsel for the petitioner is contended that the complainant as well as injured-Gurmeet Singh have been examined and they have neither identified the petitioner as one of the assailants nor supported the initial

allegation. In fact, it is co-accused Dilpreet Singh, who is now testified to have fired the shot. It is next contended that all the co-accused are on bail and the petitioner is in custody since 12.04.2014.

Learned State Counsel, on instructions from H.C. Dilbagh Singh, is unable to refute the aforesaid factual position.

Without commenting on the merits of the case, keeping in view the parity of treatment and the facts as noticed above, no useful purpose would be served by keeping the petitioner in custody, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Rupnagar.

Disposed of.

October 07, 2015

Gagan

(JASWANT SINGH)
JUDGE