

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

213

CRM-M No.1550 of 2015

Date of Decision:28.01.2015

Navraj Singh @ Mota

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR.

Present: Mr.Inderjit Sharma, Advocate,
for the petitioner.

Mr.Jaspreet Singh Sekhon, Assistant Advocate General,
Punjab, for the respondent-State.

MEHINDER SINGH SULLAR, J.(oral)

The petitioner has preferred the instant petition for the grant of concession of regular bail, in a case registered against him along with his other co-accused, namely, Jasmeet Singh @ Monu, Abbu & Vicky sons of Satnam Singh and 5/6 other unknown persons, vide FIR No.16 dated 13.04.2014, on accusation of having committed the offences punishable under Sections 307, 324, 506, 148 and 149 IPC, by the police of Police Station Qadian, Tehsil Batala, District Gurdaspur.

2. Notice of the petition was issued to the State.
3. Having heard the learned counsel for the parties, having gone through the record with their valuable assistance and after bestowal of thoughts over the entire matter, to my mind, the present petition for regular bail deserves to be accepted in this context.
4. Precisely, the prosecution, *inter alia*, claimed that on

12.04.2014, the petitioner and his other co-accused caused injuries to complainant-Sarabjot Singh @ Sibbu and Sukhwinder Singh @ Laddi, injured PWs, with their respective knives(Kirches). It is not a matter of dispute that during the course of investigation, Vicky, co-accused of the petitioner, was found innocent and was exonerated by the police. Moreover, the petitioner was stated to have caused a single injury with the knife, which landed in the abdomen of complainant-Sarabjot Singh @ Sibbu. He also gave single injury to Sukhwinder Singh @ Laddi, injured PW. He did not repeat the injury either on the persons of the complainant or other injured PW. In that eventuality and in view of the routine medical opinion, as to whether the penal provision of Section 307 IPC is attracted to the facts, relatable to the case of the petitioner or not, *inter alia*, would be a moot point to be decided after receipt of evidence of the parties during the course of trial by the trial Court.

5. Be that as it may, the petitioner was arrested in this case on 17.04.2014. Since then he is in judicial custody and no useful purpose would be served to further detain him in jail. There is no history of his previous involvement in any other criminal case. The conclusion of trial will naturally take a long time.

6. Not only that, Jasmeet Singh @ Monu, co-accused of the petitioner, was granted the concession of regular bail, by means of order dated 29.05.2014 in CRM-M No.18089 of 2014 by this Court. Therefore, I see no reason not to extend the same benefit of regular bail to the present petitioner as well.

7. In the light of aforesaid reasons, taking into consideration the

peculiar facts & the special circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side during the course of trial of the main case, the instant petition for regular bail is hereby accepted. The petitioner is ordered to be released on bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner, as the same has been so recorded for a limited purpose of deciding the present petition for regular bail.

January 28, 2015
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(**MEHINDER SINGH SULLAR**)
JUDGE