

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

Cr.M.No.M-23169 of 2015 (O&M)
DATE OF DECISION : 24.7.2015

Naib Singh alias Gurnaib

PETITIONER

VERSUS

State of Punjab

RESPONDENT

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

1. Whether reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present:- Ms.Dhivya Jerath, Advocate for the petitioner.

Ms.Harpreet K.Athwal, D.A.G. Punjab.

MAHESH GROVER, J.

This is a petition filed under section 439 Cr.P.C. with a prayer for release of the petitioner on bail in a case registered vide F.I.R. No.5 dated 3.2.2013 registered under Sections 302,148,149 I.P.C. at Police Station Kot Dharmu, District Mansa.

The allegations against the petitioner are that he along with several other persons had gone to the house of the deceased at 9 p.m. and he gave two

dang blows on the wrist of the deceased. The fatal blow has not been attributed to him.

It is contended by the learned counsel for the petitioner that the petitioner has been in custody since 3.2.2013 and his co-accused namely Geeta Singh alias Gurmit Singh has been granted bail by this Court on 10.4.2015. He states that on the basis of parity, the petitioner is entitled to be released on bail.

Learned counsel for the State has opposed the prayer of the petitioner by stating that the petitioner is involved in a heinous crime and as such not entitled to be released on bail.

On due consideration of the matter, I deem it appropriate to allow the petition and release the petitioner on bail in terms of Section 439 Cr.P.C. keeping in view the fact that the fatal injuries have not been attributed to the petitioner and he is in custody since February, 2013 with some of the delay attributed to the complainant himself and also noticing that co-accused of the petitioner has been granted bail. Bail to the satisfaction of the trial Court.

Nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

July 24, 2015
GD

(MAHESH GROVER)
JUDGE