

214-2

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

CRM-M-25890-2015

Date of Decision: 13.08.2015

Avtar Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. K.D.S. Hooda, Advocate
for the petitioner.

Mr. K.D. Sachdeva, Addl. AG, Punjab.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.292 dated 04.08.2014 under Sections 307, 148, 149 of Indian Penal Code ('IPC' for short) and Sections 25, 27 of Arms Act, registered at Police Station Civil Lines, District Amritsar.

Learned counsel for the petitioner submits that the allegations in the FIR were general in nature. No specific injury has been attributed to the petitioner, much less an injury for the offence under Section 307 IPC. In such a situation, it shall be a moot point whether the petitioner, as a matter of fact, participated in the commission of crime or not. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Sukhdev Singh, Police Station Civil Lines, District Amritsar, submits that participation of the petitioner in the commission of crime is very much established on record. Very many injuries were caused on the

person of the injured. In this view of the matter, petitioner is not entitled for bail pending trial. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties at considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the contentions raised, this Court is of the considered opinion that in the given fact situation of the case referred to hereinabove, petitioner has been found entitled for bail pending trial. It is so said because no specific injury has been attributed to the petitioner, including the injury for the offence under Section 307 IPC. Further, since the trial is yet to start, conclusion thereof will take some time.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, instant petition is allowed. Petitioner is directed to be released on bail pending trial subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

13.08.2015
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