

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25912-2015
Date of Decision: August 19, 2015

Narinder Singh @ Ninder

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Gurvinder Singh Sidhu, Advocate,
for the petitioner.

Mr. K.S. Pannu, DAG, Punjab,
for the respondent.

1. *Whether Reporters of local papers 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?*

NARESH KUMAR SANGHI, J (Oral)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of bail to the petitioner, Narinder Singh @ Ninder, son of Lachhman Singh, resident of village Kailewander (Nasibpura), Police Station, Talwandi Sabo, District Bathinda, who has been booked for having committed the offence punishable under Section 384, IPC, and Section 25 of the Arms Act, 1959, in a case arising out of FIR No. 102, dated 4.7.2015, registered at Police Station, Civil Lines, Bathinda.

Learned counsel contends that even if the whole case of the prosecution is taken at its face value, then also the essential ingredients of Section 384, IPC, are not attracted; both the offences for which the petitioner has been booked, are triable by learned

Judicial Magistrate First Class; the petitioner is behind the bars from 4.7.2015; and that the custodial interrogation qua him is complete.

Learned counsel for the State on instructions from ASI Raghbir Singh of Police Station, Civil Lines, Bathinda, submits that one more case for the offence punishable under Sections 212 and 216, IPC, was registered against the petitioner in the month of July, 2015. However, he fairly states that the offences for which the petitioner has been booked, are triable by learned Judicial Magistrate First Class and that he is in judicial custody since 4.7.2015. He further submits that no recovery is now due towards the petitioner.

I have heard learned counsel for the parties and with their able assistance gone through the material available on record.

Keeping in view totality of the facts and circumstances of the case, the present petition is allowed. The petitioner, Narinder Singh @ Ninder, son of Lachhman Singh, resident of village Kailewander (Nasibpura), Police Station, Talwandi Sabo, District Bathinda, is ordered to be released on bail during pendency of the trial of the present case subject to his furnishing bail bonds in the sum of ₹50,000/- (Rupees fifty thousand only) with one surety in the like amount, to the satisfaction of the learned Area Judicial Magistrate/Duty Magistrate, Bathinda.

(NARESH KUMAR SANGHI)
JUDGE

August 19, 2015
Pkapoor