

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

CRM No. M-2643 of 2015 (O&M)

Date of Decision: 10.07.2015.

Gurmeet Singh @ Budhu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Kawaljyot Singh, Advocate for the petitioner.

Mr. Nikhil K. Chopra, DAG, Punjab.

....

TEJINDER SINGH DHINDSA.J.

CRM No.21211 of 2015:

Notice in the application.

On the asking of the Court, Mr. Nikhil K. Chopra, DAG, Punjab accepts notice. A complete copy of the application has been furnished to the learned State counsel.

Prayer in the application is allowed. In the head note as also in the prayer clause made in the application Section 325 IPC is directed to be added to the Sections already mentioned.

Registry is directed to carry out necessary changes.

Application is disposed of.

Main case:

This order shall dispose of the instant petition filed under Section 439 Cr.P.C. seeking the concession of regular bail to the petitioner pending trial in case FIR No.170 dated 13.09.2014 under Sections 307/323/325/148/149 IPC registered at Police Station Kotwali, District

Kapurthala.

Counsel for the parties have been heard.

FIR in question has been registered on the statement of Nachhattar Singh, who was lodged in Modern Jail at Kapurthala. Argument raised is that Nachhattar Singh along with other inmates, namely, Harmeet Singh and Avtar Singh were attacked by the co-prisoners, who were stated to be armed with iron rods and iron pipes including the present petitioner. Occurrence is stated to on 12.09.2014. Nachhattar Singh is stated to have suffered as many as 18 injuries, Avtar Singh suffered 8 injuries and Harmeet Singh has suffered 3 injuries. Insofar as injuries suffered by Nachhattar Singh and Harmeet Singh are concerned, these are opined to be simple in nature. Injuries suffered by Avtar Singh on the right hand has attracted offence under Section 325 IPC.

It would be apposite to take notice that during the trial proceedings injured-Avtar Singh has been examined as PW1 and who has not supported the prosecution version and not even identified the accused person in Court.

Petitioner has been in custody since 18.09.2014.

Trial is still at the initial stage and would take time to conclude.

Without making any observations on merits, petitioner is held entitled to the concession of bail.

Petition is allowed. Petitioner, Gurmeet Singh @ Budhu be enlarged on bail subject to satisfaction of the CJM/Duty Magistrate, Kapurthala.

Disposed of.

10.07.2015

(TEJINDER SINGH DHINDSA)
JUDGE