

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-31298 of 2014

DATE OF DECISION: 06.02.2015

Gurmeet Singh @ Budhu

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspaper may be allowed to see judgment?**
- 2. To be referred to reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

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

Ms. Ritu Punj, Addl. A.G., Punjab.

DAYA CHAUDHARY, J.

The present petition under Section 439 Cr.P.C. has been filed for grant of bail to the petitioner in case FIR No. 46 dated 3.5.2014 registered under Sections 323,324,148,149,307 IPC at Police Station Kartarpur, District Jalandhar.

Learned counsel for the petitioner contends that as per allegations in the FIR, all the accused caused injuries to the complainant but no specific injury has been attributed to the petitioner. The alleged incident occurred on 1.5.2014 but the FIR was registered on 3.5.2014. The delay has also not been explained and by taking advantage of the same, many persons have been implicated. Learned counsel also submits that

co-accused of the petitioner, namely, Jatinder @ Bholu @ Sonu has approached this Court by way of filing Crl. Misc. No. M-34713 of 2014, wherein, bail has been granted to him by this Court. The petitioner is in custody since 7.5.2014 and no purpose would be served by keeping him in custody.

Learned counsel for the respondent-State has not disputed the custody period but opposes the bail.

Heard the arguments advanced by learned counsel for the petitioner as well as State and have also gone through the contents of the FIR and other documents available on the file.

Admittedly, no prosecution witness has been examined so far and the petitioner is in custody since 7.5.2014. Co-accused of the petitioner, namely, Jatinder @ Bholu @ Sonu has already been granted bail by this Court and trial will take some time to conclude. Moreover, all the accused caused injuries to the complainant and it cannot be said as to by whom which injury has been caused.

Accordingly, the present petition is allowed. Petitioner-Gurmeet Singh @ Budhu is ordered to be released on regular bail subject to his furnishing bail/surety bond to the satisfaction of trial Court.

February 06, 2015
pooja

(DAYA CHAUDHARY)
JUDGE