

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

Criminal Misc.No.M-33637 of 2015

Date of Decision: October 07, 2015

Gurwinder Singh @ Sunny

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Aminder Singh, Advocate,
for the petitioner.

Mr.K.S.Pannu, DAG, Punjab.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of regular bail to the petitioner, Gurwinder Singh @ Sunny, who has been booked for having committed the offences punishable under Sections 307, 323, 341, 382 and 427 read with Section 34, IPC, in a case arising out of FIR No.12, dated 12.03.2015, registered at Police Station, Sherpur, District Sangrur.

Learned counsel contends that concededly, the petitioner had not caused any injury on the person of Balraj Kumar, the aggrieved person; the petitioner is behind the bars from 15.03.2015; after completion of the investigation, the charge-sheet (report under Section 173, Cr.P.C.) has been presented before learned Court below; and that co-accused

Kamalpreet Singh has been granted bail by this Court vide order dated 21.07.2015.

Learned counsel for the State, after taking instructions from ASI Malkiat Singh, Police Station, Sherpur, District Sangrur, has not controverted the factual aspects raised by learned counsel for the petitioner. However, he submits that the petitioner is involved in two more cases of causing simple and the grievous injuries and one of the Excise Act, therefore, he might not be released.

After hearing learned counsel for the parties, this Court finds that applicability of Section 307, IPC, in the present case would be a moot point during trial; the petitioner has already suffered incarceration for approximately seven months and after completion of the investigation, the charge-sheet (report under Section 173, Cr.P.C.) has been presented before Court below, therefore, the present petition is allowed. Petitioner-Gurwinder Singh @ Sunny, s/o Kirat Singh, r/o village Panjgraian, P.S.Sherpur, District Sangrur, now confined in District Jail, Sangrur, is ordered to be released on bail during pendency of trial of the present case subject to his furnishing bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Sangrur.

October 07,2015
seema

(Naresh Kumar Sanghi)
Judge

