

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-34331-2014 (O&M)

Date of decision: 19.05.2015

Sunil Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Vikas Bahl, Senior Advocate with
Mr. MS Batth, Advocate for the petitioner.

Mr. Gazi. Mohd., DAG, Punjab.

R.P. NAGRATH, J. (ORAL)

CRMs-16821-22-2015

Both the applications are allowed as prayed for.

Copies of statements of Dr. Ajay Mohan Sharma, Manohar Lal (complainant), Ram Partap, Sugriv Kumar and Mahi Ram (Annexures P-7 to P-11, respectively) are taken on record, subject to all just exceptions.

CRM-M-34331-2014

This petition under Section 439 Cr.P.C. has been filed by the petitioner for grant of regular bail in FIR No. 92 dated 29.08.2013 registered under Sections 302/307/341/148/149 IPC and Section 27 of the Arms Act at Police Station Sadar, Abohar, District Fazilka.

Learned counsel for the petitioner submits that initially name of the petitioner did not figure in the FIR. It is further contended that the complainant-Manohar Lal as PW-2 and the injured witnesses, namely; Sugriv Kumar and Mahi Ram (PWs 4 and 5, respectively) have stated in the cross-examination that the petitioner was not present at the spot and according to them the petitioner is innocent.

On instructions from ASI Sharanjit Singh, learned State counsel submits that name of the petitioner figured during the supplementary statement of Manohar Lal-complainant who has already been examined as PW-2. There are three other eye-witnesses for whom the prosecution has already filed an application for giving them up and those persons are Budh Ram, Sham Lal and Amar Singh.

Petitioner is in custody since 16.09.2013.

Without expressing any opinion on merits of case, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail bonds to the satisfaction of trial Court.

May 19, 2015
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(R.P. NAGRATH)
JUDGE