

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-35443 of 2015

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Date of decision:4.11.2015

Gurmail Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Gopal Singh Nahel, Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

Mr. Gaurav Singla, Advocate for the complainant.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in case FIR No.63 dated 13.5.2015 (Annexure-P.1)
registered for the offences under Section 307 IPC and Section 25 of the
Arms Act at Police Station Chhajli, District Sangrur.

Notice of motion has been issued in this case.

Ms. Simsi Dhir Malhotra, learned Deputy Advocate General,
Punjab has put in appearance on behalf of the respondent-State and
contested this petition. Police record is also available.

I have heard learned counsel for the petitioner as well as
learned Deputy Advocate General, Punjab appearing for the respondent-

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State and have gone through the record.

From the record, I find that in the present case as per prosecution version Gurmail Singh has fired on his son Bhinder Singh. As per the record and also as argued by learned State counsel, no MLR is available on the record and there is only report taken from the private hospital where the injured has been treated as the injury is stated to be with fire arms weapon.

The petitioner is in custody since 14.5.2015. The petitioner is not required for interrogation or investigation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

November 4, 2015.

(Inderjit Singh)
Judge

hsp