

210

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35554 of 2015

Date of decision: November 27, 2015

Gurdeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. S.P.S. Sidhu, Advocate
for the petitioner.

Mr. R.P.S. Sidhu, AAG Punjab.

Mr. Vivek Goel, Advocate
for the complainant.

SABINA, J

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 ('Cr. P.C.' for short) seeking regular bail in FIR No.103 dated 17.07.2014, under Sections 307, 148, 149 of Indian Penal Code, 1860 and Sections 25, 27 of the Arms Act, 1954, registered at Police Station Nihal Singh Wala, District Moga.

Heard.

As per the prosecution case, petitioner and his co-accused had inflicted injuries on the person of the complainant-Daljit Singh. So far as the petitioner is concerned, he was allegedly armed with a *khanda* and had inflicted injuries on the right leg of the complainant.

Petitioner is in custody since 30.07.2014. After completion of investigation and necessary formalities, challan was presented against six accused including the petitioner. Thereafter, prosecution moved an application under Section 319 Cr. P.C. for summoning three persons as additional accused. Thus, the statement of the complainant was recorded during trial before moving the application under Section 319 Cr. P.C. by the prosecution.

Keeping in view the facts and circumstances of the case and the fact that the petitioner is in custody since 30.07.2014, it would be just and expedient to order the release of the petitioner on bail.

Accordingly, without expressing any opinion on merits on the case, this petition is allowed. Petitioner be admitted to bail, subject to the satisfaction of the Chief Judicial Magistrate, Moga.

**(SABINA)
JUDGE**

November 27, 2015
mahavir