

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-6925 of 2015 (O&M)

Date of Decision: 09.03.2015.

Rajinder Singh @ Happy

--Petitioner

Versus

State of Punjab & another

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Satwant Mehta, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C praying for grant of regular bail to the petitioner in complaint/sessions case no.32 dated 31.5.2010 titled as Sarwan Singh Vs. Dilbagh Singh and others under sections 307, 148, 149 I.P.C read with sections 25, 27, 54, 59 of Arms Act.

Learned counsel for the parties have been heard.

It has gone uncontroverted that it is a case of version and cross-version. The present petitioner, who had been summoned to face trial on 21.12.2007 had evaded the process of law as he had already proceeded abroad. Accordingly, he had been declared as Proclaimed Offender. Co-accused Dilbag Singh, Jaswant Singh, Bhagwant Singh and Malkit Singh already stand convicted under Sections 323, 324 I.P.C read with Section 149 I.P.C. Present petitioner had surrendered on 1.10.2014 and has been in custody ever since. There is no information coming forth from State counsel as regards the petitioner being involved in any other criminal proceedings.

Even as per version of the complainant, the petitioner was armed with a *gandasi* and no specific allegation/*gandasi* blow at the hands of the petitioner has been attributed.

Under such circumstances, without making any observations on merits, the petitioner is held entitled to the benefit of regular bail. Petition is allowed.

Bail to the satisfaction of C.J.M., Tarn Taran.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

March 09, 2015
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