

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

Crl.Misc.No.M-9762 of 2015(O&M)

Date of Decision : 06.04.2015

Gurpreet Singh

....Petitioners

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. Vikas Gupta, Advocate for the petitioner

Mr. Deepak Garg, AAG, Punjab

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 87 dated 5.9.2012 registered under Sections 302, 324, 452, 336, 506, 148, 149 IPC and Section 25, 27 of Arms Act at Police Station Harike, District Tarn Taran.

In the FIR the petitioner has been attributed a sword blow landing on the middle finger of the complainant.

Learned counsel for the petitioner contends that apart from the fact that the petitioner is in custody since 18.1.2013 and the fact that no injury to the deceased has been attributed by him he ought to be released on bail, particularly, when the complainant upon being examined has attributed a fatal blow to Harjeet Singh.

Learned counsel for the respondent on the other hand points out that it is a serious case where the petitioner had attempted to cause injury to the deceased but it is only because of the complainant who intervened that

the blow landed on his middle finger rather than on the deceased. He thus contends that the petitioner does not deserve the concession of bail.

After hearing learned counsel for the parties and noticing the fact that three of the co-accused including Harpreet Singh have been granted bail and also noticing the fact that the petitioner has been attributed an injury on the middle finger of the complainant with no role in causing the death of the deceased and the fact that the petitioner is in custody since January, 2013, instant petition is accepted. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C. Bail to the satisfaction of learned Trial Court.

Nothing said herein shall be construed to be an expression on the merits of the case.

April 06, 2015
rekha

(Mahesh Grover)
Judge