

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

CRM No.M-10666 of 2016 (O&M)

Date of decision: 28.07.2016

Nachhattar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mohd. Yousaf, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

Mr. Gurmeet Singh, Advocate for
Mr. N.S. Sidhu, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

This petition under Section 439 of the Code of Criminal Procedure is for grant of regular bail in case FIR No.82 dated 14.08.2014, registered under Sections 302, 427 and 148 read with Section 149 IPC, at Police Station Sherpur, District Sangrur.

It is contended that petitioner has been falsely implicated in the instant case. Neither any overt act nor any specific role has been attributed to the petitioner. After the investigation, the petitioner was found to be innocent and subsequently, he has been summoned under Section 193 Cr.P.C., by the trial Court without any cogent basis. He further contends that the petitioner is an old man of 70

years and has nothing to do with the present FIR. He is behind the bars for the last more than one year.

On the other hand, the learned State counsel opposes the bail application and states that the active participation of the petitioner has been duly substantiated from the testimony of complainant Harbhajan Singh. The challan stands presented; charges have been framed and out of total 12 prosecution witnesses, 05 have been examined.

Heard.

There are specific allegations against the petitioner in the FIR that he along with his co-accused raised lalkara and they inflicted injuries on the person of the father and grandfather of the complainant, Harbhajan Singh, as a result of which they succumbed to the injuries. Keeping in view the gravity of the offence, no case for bail is made out.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

28.07.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No