

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

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CRM-M-15569-2016

Date of Decision: July 15, 2016

KULWINDER SINGH @ BAGGA

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr.T.S.Sangha, Sr. Advocate with
Mr.H.S.Sangha, Advocate for the petitioner.

Mr.Ankush Singla, Advocate for the complainant.

Mr.Shailesh Gupta, Addl.A.G. Punjab.

A.B. CHAUDHARI, J.(Oral)

Heard learned counsel for the rival parties and perused the FIR in question, namely, FIR No.49 dated 18.6.2015, registered under Section 302/34 at Police Station Rureke Kalan.

The stage of the trial is at present at the stage of Section 319 Code of Criminal Procedure. Major Singh has been summoned as an accused for the reason that he raised lalkara. The allegation against the present petitioner is that he had caught hold of Gora Singh-deceased and the main accused Baljit Singh @ Bhola had given a single blow on the chest of Gora Singh-deceased. At any rate, the only allegation against the petitioner is that he had caught hold of the deceased and nothing beyond that. The prosecution contends that with the aid of Section 34 IPC, the petitioner would also be guilty of offence of murder.

Prima facie I find that the common intention would be inferred only after the evidence is tendered. In that view of the matter in the absence of past criminal record of the petitioner, he is ordered to be released on bail on furnishing personal bonds of the amount of Rs.50,000/- with one surety of like amount. Learned counsel for the petitioner submits that Major Singh would be appear before the Trial Judge on the next date of hearing. The Trial Court may expedite the trial.

**(A.B. CHAUDHARI)
JUDGE**

July 15, 2016