

Sr. No.236

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-17004 of 2016 (O&M)

Date of Decision: 24.05.2016

Gurupdesb Singh @ Gora

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Fariad Singh Virk, Advocate,
for the petitioner.

Mr. K.D.Sachdeva, Additional A.G., Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.240 dated 03.08.2015, under Sections 307/452/323/427/506/120-B of Indian Penal Code and Sections 25/54/59 of Arms Act, registered at Police Station Tripuri Town, Patiala, District Patiala.

As per prosecution version, on 03.08.2015 complainant Gurdip Singh had come to meet his friend Rishi Goyal. As Rishi Goyal was not available, Gurdip Singh sat in the Karyana shop of Yashpal Goyal who was nephew of Rishi Goyal. Meantime, a fire shot noise was heard from the office of Rishi Goyal situated in the adjoining street. Complainant and Yashpal Goyal having proceeded towards the office of Rishi Goyal noticed the present petitioner as also two other co-accused armed with pistols and who made inquiries from Yashpal Goyal as regards his relations with Rishi Goyal. Complainant has further asserted that one Chet Raj servant of Rishi Goyal came to the shop of Yashpal Goyal and also informed that while he

was sitting in the room adjoining to the office of Rishi Goyal, three persons who were carrying pistols in their hands had come there and one of such three persons had even fired a shot towards him with an intention to kill.

It is a case of no injury.

Petitioner is stated to have surrendered on 10.09.2015 and as such has faced incarceration for a period of almost 08 months.

Even as per version of the complainant, Chet Raj servant of Rishi Goyal has not attributed the firing of the shots to any particular accused.

Challan insofar as the present petitioner is concerned already stands presented on 04.12.2015 and charges have been framed on 04.04.2016.

Trial is at the very initial stage and would take time to conclude.

Without making any observations on merits and keeping in view the length of incarceration already suffered, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Patiala.

Disposed of.

24.05.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE