

Sr. No.239

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-17510 of 2016 (O&M)

Date of Decision: 26.05.2016

Joginder Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Sahil Puri, 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.73 dated 30.11.2015, under Section 323/341/307/34 of Indian Penal Code and Section 25/54/59 of Arms Act, registered at Police Station Talwandi Chaudhrian, District Kapurthala.

Counsel for the parties have been heard.

FIR came to be registered at the instance of Surinder Singh. Complainant had stated that on 30.11.2015 while he was taking his mother on a motorcycle to a hospital he was accosted by his cousin, namely, Joginder Singh/present petitioner, Palwinder Singh and other unknown persons. Allegations against the present petitioner are with regard to having taken out a pistol and having fired with an intention to kill. Palwinder Singh and other unknown persons are stated to have assaulted the complainant with a baseball bat.

Petitioner was arrested on 02.12.2015.

Investigation in the case is complete and challan was presented on 28.01.2016. Charges have till date not been framed.

It has gone uncontroverted that no firearm injury was suffered by the complainant Surinder Singh. The injuries suffered by him have been opined to be simple in nature and caused by a blunt weapon.

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

The offence under Section 307 IPC, if at all made out against the present petitioner would be a moot question to be considered during the course of trial proceedings.

Without making any observations on merit, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Kapurthala.

Disposed of.

26.05.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE