

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

CRM -M-28325 of 2016 (O&M)

Date of decision: 04.10.2016

Sukhwinder Pal Singh @ Gazi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Himanshu Puri, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Lakhvir Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 191 dated 28.11.2015, registered under Sections 307, 326, 341, 324, 323, 148 read with Section 149 IPC, at Police Station Sultanpur Lodhi, District Kapurthala.

It is contended that though the petitioner is named in the FIR but no injury is attributed to him. The complainant/injured, Manjinder Singh has not supported the case of the prosecution. The petitioner is in custody since 24.12.2015.

On the other hand, the learned State counsel opposes the prayer of bail and states that the petitioner drove his motorcycle upto the complainant and caused him to fall on the ground and in the meantime, the co-accused caused injuries with datar to the complainant.

I have heard learned counsel for the parties and perused the record.

From the testimony of PW-4, it emerges that the complainant who himself is involved in 5/6 cases has not supported the case of the prosecution. No specific injury has been attributed to him. Out of total 12 PWs, only 01 PW has been examined so far, therefore, it can be safely inferred that the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

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

04.10.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No