

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

(214)

CRM-M-2856-2016

Decided on: February 25, 2016.

Kulwant Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

(2)

CRM-M-4910-2016

Decided on: February 25, 2016.

Khushhal Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Karanjit Singh, Advocate, for the petitioner.

Mr. Jashan Preet Singh, AAG, Punjab.

Mr. Inder Pal Singh, Advocate, for the complainant.

M.M.S. BEDI, J (ORAL)

This order will dispose of two applications for grant of pre-arrest bail, one (CRM-M-2856-2016) filed by Kulwant Singh and the other (CRM-M-4910-2016) filed by Khushhal Singh.

The FIR was registered at the instance of Gurjit Singh alleging that on the instigation of petitioner Kulwant Singh, Khushhal Singh and others had attacked the complainant. Co-accused of the petitioner namely Jugraj Singh is attributed firing whereas the 'barchi' blow is attributed to Khushhal Singh. Kulwant Singh has not been attributed any injury. The injury attributed to Khushhal Singh is on the left shoulder with a sharp edge weapon.

I have considered the facts and circumstances of the case.

As petitioner Kulwant Singh is not attributed any injury, he has joined investigation, he can be granted concession of bail.

Petition qua petitioner Kulwant Singh is allowed. In case of arrest of petitioner Kulwant Singh, he will be released on bail to the satisfaction of the arresting officer subject to the conditions as envisaged under Section 438 (2) Cr.P.C.

So far as petitioner Khushhal Singh is concerned, he has been attributed injury with 'barchi'. The injured has also received gun shot injuries which are attributed to Jugraj Singh. The active participation of petitioner Khushhal Singh being member of unlawful assembly having caused injuries with sharp edge weapons on the shoulder, no ground is made out to grant concession of pre-arrest bail to petitioner Khushhal Singh.

The circumstances pointed out by learned counsel for the petitioner may constitute good grounds for grant of regular bail, but I do not find any extraordinary exceptional circumstance to grant concession of pre-arrest bail to petitioner Khushhal Singh.

Petition qua petitioner Khushhal Singh is dismissed with liberty to the petitioner to seek regular bail by approaching the Court of competent jurisdiction.

It will be appreciated in case the application of petitioner Khushhal Singh for regular bail is decided expeditiously preferably within a period of two days.

(M.M.S. BEDI)
JUDGE

February 25, 2016

harsha