

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

(207)

CRM-M-29578-2016

Decided on: September 06, 2016.

Darbara Singh @ Dalbara Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

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

Present: Mr. Harish Sharma, Advocate, for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

Mr. Mohd. Yousaf, Advocate, for the complainant.

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

Petitioner seeks concession of regular bail in a case registered at the instance of Harjit Singh alleging that on 25.07.2015 the petitioner along with others had trespassed in the land of the complainant and ploughed it with a tractor. On complainant having intervened along with his brother Gurmeet Singh, they were fired at by the petitioner and 5-6 other persons. So far as the petitioner is concerned, he is alleged to have fired from 12 bore double barrel rifle at the left leg of Gurmeet Singh.

With the assistance of learned State counsel and learned counsel for the complainant, I have gone through the police file.

As per the MLR of Gurmeet Singh, injury No.12 is alleged to have been caused with firearm on the person of Gurmeet Singh. Perusal of the police file also indicates that only on account of the blackening of the injury on the leg, the doctor has opined the same to be a gun shot injury whereas no pallet was recovered from any part of the leg.

Without entering into further appreciation of evidence, the petitioner, in aforesaid circumstances, can be granted the concession of bail as he has been in custody w.e.f. 11.05.2016 and challan has already been presented.

The petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the conditions that he will not indulge in commission of similar offence and will not make any attempt directly or indirectly to induce or threaten the witnesses.

In case of any such eventuality, it will be open to the complainant or the prosecution agency to seek cancellation of the bail.

(M.M.S. BEDI)
JUDGE

September 06, 2016
harsha

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No