

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

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CRM-M-29158-2015

Date of Decision: January 11, 2016

AJITPAL SINGH @ RAVI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

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

Present: Mr.G.S.Attariwala, Advocate for the petitioner
Mr.Jashan Preet Singh, AAG,Punjab

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

The petitioner seeks concession of bail in a case registered at the instance of Kawal Singh alleging that on 18.6.2014 while the complainant was going with his brother Gian Singh and friend Manjit Singh in a Scorpio to fetch goods from the shop, they were intercepted by occupants of Tata Safari and were attacked. Two shots were fired towards Gian Singh hitting on his left thigh resulting into his death on the way to the hospital.

On instructions of ASI Sikander Singh, State counsel informs that two inquiries were conducted against the petitioner and the petitioner had been found innocent and an application for discharge was submitted in the Court but the same has not been allowed by the Court.

A perusal of the police file indicates that neither there is any specific allegation against the petitioner nor he is attributed any specific role or injury on the person of the deceased. Application for discharge of the petitioner had been moved by the State. Taking into consideration the above said circumstances, the petitioner can be granted the concession of bail. In this context reference can be made to the provisions of Section 169 of the Code of Criminal Procedure which do not permit the detention of the person in custody, when an application for discharge is submitted by the prosecution on the basis of investigation.

The petition is allowed. It is ordered that the petitioner would be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Moga.

**(M.M.S.BEDI)
JUDGE**

January 11, 2016