

CRM No. M-30681 of 2016

DECIDED ON: SEPTEMBER 26, 2016

PRITPAL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Dr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Nandan Jindal, Advocate
for the petitioner.

Mr. P.S. Paul, DAG, Punjab.

Mr. Preetwinder Singh Dhaliwal, Advocate
for the complainant.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 439 Cr.P.C., petitioner has sought bail in case FIR No. 35 dated 14.06.2016 under Sections 307, 148, 149 of IPC and Section 25/27 of Arms Act registered at Police Station Mehal Kalan, District Barnala

As per the contents of FIR, petitioner has been attributed an injury alleged to have been caused with fire arm to Labh Singh but during investigation, it has emerged that the said injury has been caused by Rai Singh after getting the .12 bore gun from one Jagsir Singh. The gun has already been recovered. However, during the course of arguments learned State counsel assisted by Mr. Preetwinder Singh Dhaliwal, Advocate for the complainant has

submitted that petitioner lead the party consisting of large number of persons and opened an attack on Labh Singh and others during which not only Labh Singh but Sukhdev Singh also sustained fire arm injury. He further submits that though challan has been presented, after the completion of investigation but complainant/injured(s) are still to be examined before trial Court and in case the petitioner is granted the concession of bail, there is every likelihood that he will prevail upon the witnesses.

In view of the above-said facts, this Court is of the considered view that there is no specific injury attributed to the petitioner and the other things are not relevant at this stage especially in the circumstances that petitioner is suffering incarceration for the last about 3 ½ months. Moreover, the gun has been recovered from one Jagsir Singh.

Taking in to consideration the above-said facts but without expressing any opinion on the merits of the case, instant petition is allowed and petitioner is ordered to be released on bail at the satisfaction of learned trial Court/Duty Magistrate.

SEPTEMBER 26, 2016
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(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned *Yes/No*

Whether Reportable *Yes/No*