

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

CRM-M-32526-2016 (O&M)
Date of decision : 27.09.2016

Sukhwinder Singh @ Bhund

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. K.S. Kang, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Karnail Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.186 dated 18.10.2015, registered under Sections 302, 307, 326, 324, 323 and 148 read with Section 149 of the Indian Penal Code and Sections 25 and 27 of the Arms Act, at Police Station Sadar, Patiala.

Contentends that the petitioner is neither named in the FIR, nor any injury has been attributed to him. He was not even present at the spot. Subsequent to the lodging of the FIR, statement of injured Sukhdev Singh was recorded, wherein, the petitioner is stated to have given stick blows to him. The petitioner is a young boy of 22 years, who is not involved in any other FIR. He is in custody since 04.12.2015.

On the other hand, learned State counsel states that the

presence of the petitioner and his active participation in causing injuries to Sukhdev Singh, is fully made out. The injuries mentioned in the statement of the injured correspond to the injuries reflected in his MLR.

Heard.

It is to be seen that the injuries, alleged to have been caused by the petitioner on the person of Sukhdev Singh, are stated to have been caused by one Labh Singh, in the initial version recorded by the complainant which forms the basis of the instant FIR. The petitioner is not involved in any other case. Though, the charges have been framed but the trial is yet to commence as no witness has been examined so far. He is in custody since 04.12.2015. The petitioner is not attributed any injury on the person of deceased Daljit Singh, either in the FIR or in the statement of injured Sukhdev Singh. Therefore, this Court feels that no purpose would be achieved in keeping the petitioner under further incarceration.

Keeping in view the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

However, nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

27.09.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No

ATUL SETHI
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I attest to the accuracy and
authenticity of this document
Chandigarh