

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-32916 of 2016

Date of Decision: 27.09.2016

Tarsem Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Gagan Pradeep S. Bal, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in cross-version case under Sections 452, 326, 148, 149 IPC recorded in FIR No.81 dated 1.7.2016 under Sections 307, 323, 506, 148, 149 IPC and Sections 25/27 of the Arms Act registered at Police Station Lopoke, Amritsar.

Learned counsel for the petitioner contends that the present cross-version case is a counter-blast to the FIR registered at the behest of the petitioner i.e. FIR No.81 dated 1.7.2016 under Sections 307, 323, 506, 148, 149 IPC and Sections 25/27 of the Arms Act. He submits that the petitioner is in custody since 4.8.2016 and no injury has been attributed to

him, rather, the complainant party in the cross-version case was the aggressor.

Learned State counsel, on instructions from ASI Surjit Singh, does not dispute the custody period of the petitioner. However, to a specific question whether the petitioner was armed with any weapon, he submits that the petitioner was empty handed.

I have heard learned counsel for the parties.

It is not in dispute that the present FIR was registered at the behest of the petitioner-complainant and it is in cross-version case, the petitioner has been booked under Sections 452, 326, 148, 149 IPC. Considering the fact that the petitioner is in custody since 4.8.2016 and trial in the case will take long time, I deem it appropriate to release the petitioner on regular bail. Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

Needless to say that the observations made hereinabove shall not be construed as any expression on the merits of the case.

September 27, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No