

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

CRM-M No.33634 of 2015

Date of Decision:-15.02.2016

Shaiwal Gupta.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Bipan Ghai, Senior Advocate assisted by
Mr. Paras Talwar, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
assisted by SI Rajesh Thakur.

Mr. J.S. Bedi, Senior Advocate assisted by
Mr. Lovekirat S. Chahal, Advocate for the Complainant.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Shaiwal Gupta, in case FIR No.91 dated 28.08.2015 for offences punishable under Sections 120-B, 148, 149, 323, 308, 506 of Indian Penal Code and Section 326 IPC registered with Police Station Division No.8, Ludhiana City, District Ludhiana.

As per the allegations in the FIR levelled by the complainant-injured Gobinder Singh, he was attacked by five youths on the early morning of 27.08.2015. The said persons armed with *rods, hockey sticks*

and have inflicted four injuries upon his person. Injury no.1 i.e. fracture on his right leg has been opined to be grievous in nature. The injured complainant pointed out the needle of suspicious towards petitioner-Shaiwal Gupta estranged son-in-law of co-accused Daljit Singh Chawla.

Learned Counsel for the petitioner submits that the petitioner was arrested on 29.08.2015 and after completion of investigation challan qua him has been submitted on 25.10.2015. He states that the petitioner was released on interim bail on 27.11.2015 and is still on interim bail and has not misused that concession.

Learned State Counsel assisted by SI Rajesh Thakur is unable to refute the aforesaid factual aspect.

In view of the above, without going into the merits of the case, keeping in view the custody period and the fact that the trial is not likely to be concluded in near future, present petition is allowed and the interim bail granted to petitioner-Shaiwal Gupta pursuant to order dated 27.11.2015 is ordered to be confirmed.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

February 15, 2016
Vinay