

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

CRM-M No.35199 of 2016

Date of decision: December 15, 2016

Anoop Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sant Pal Singh Sidhu, Advocate
for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab
for the respondent-State.

Mr. Naveen Sharma, Advocate
for the complainant-injured.

JASPAL SINGH, J.(ORAL)

By virtue of the instant petition preferred under Section 439 of Code of Criminal Procedure, petitioner-Anoop Singh has sought regular bail in case bearing FIR No.33 dated 06.04.2016, registered under Sections 302, 323, 148, 149 of Indian Penal Code at Police Station City-II, Abohar, District Fazilka.

Undoubtedly, the occurrence took place on 5th April, 2016 and the FIR was registered on the basis of statement of Mandeep Singh (one of the eye witness). Subsequent thereto, statement of one of the injured, namely, Arvinder Singh was recorded by the police on 8th April, 2016 and in that statement neither the name of the petitioner nor any role was ascribed to him. Subsequently, supplementary statement of complainant-Arvinder Singh was recorded on 30th April, 2016 wherein it is alleged that petitioner was armed with *gandasi* but neither any specific role has been attributed nor any injury has been ascribed to him, however,

Ranjit Singh (son of the petitioner) has already been named as one of the assailant in the FIR and is facing the trial.

The petitioner was arrested in this case on 15th May, 2016 and after subjecting him to custodial interrogation, he was remanded to judicial custody, meaning thereby, he was not required by police for further interrogation. On conclusion of the investigation, report under Section 173(2) Cr.P.C. has already been presented in the Court and now the trial Court is seized of the matter. The challan was presented only against six persons to face trial, whereas, three persons were found innocent and the proceedings against three others are still pending.

Taking into consideration all these aspects of the case as well as the fact that the disposal of the trial would certainly take sufficient long time, this Court is of the considered view that it would not be desirable to keep the petitioner behind the bars for an indefinite period. Accordingly, petition is allowed and petitioner is ordered to be released on bail on his furnishing requisite bonds at the satisfaction of concerned trial Court/Duty Magistrate.

December 15, 2016

m. sharma

(JASPAL SINGH)

JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No