

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

CRM -M-36177 of 2016 (O&M)

Date of decision: 21.10.2016

Shamsher Singh @ Gadgaj Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. Rahul Bhargava, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab.

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**Jitendra Chauhan, J. (Oral)**

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 50 dated 30.04.2015, registered under Sections 307, 353, 186 and 148 read with Section 149 of IPC and Section 25 of Arms Act, at Police Station Nurpur Bedi, District Rupnagar.

It is contended that the petitioner is neither named nor apprehended on the spot. It is alleged that petitioner and co-accused fired at the police officials but the officials managed to escape. One of the co-accused, Manpreet Singh @ Maana was arrested from the spot who has been admitted to bail by this Court. He further states that petitioner has been repeatedly framed in other 06 FIRs, wherein in none of the FIRs, the petitioner was arrested from the spot. The

petitioner is in custody since 14.09.2015.

On the other hand, the learned State counsel opposes the bail application and states that the petitioner is a habitual offender and is involved in 06 more FIRs.

I have heard learned counsel for the parties and perused the record.

Considering the fact that it is a case of no injury; the co-accused, Manpreet Singh who was arrested from the spot has been enlarged on bail; the charges are yet to be framed, therefore, it can safely be inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

21.10.2016

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**(JITENDRA CHAUHAN)**  
**JUDGE**

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |