

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

**CRM No.M-39266 of 2016 (O&M)
Date of Decision: November 10, 2016**

Pal Singh alias Gurpal Singh and another

...Petitioners

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.P.K.S.Phoolka, Advocate
for the petitioners.

Ms.Shivali, Asstt. Advocate General, Punjab
for the respondent-State.

Mr.S.S.Brar, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.108 dated 05.07.2015 under Sections 302, 307, 506, 34 IPC and Sections 25, 27 and 30 of the Arms Act, registered at Police Station Nahianwala, District Bathinda.

Notice of motion was issued and learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that as per the allegations in the FIR,

though Pal Singh @ Gurpal Singh and Amrik Singh are stated to be armed

with *gandasa* but no injury has been attributed to them. Even no specific *lalkara* has been attributed to them. Co-acused Gurnam Singh and Buta Singh fired from the gun due to which Gurjeet Singh died. During investigation, both the petitioners have been found innocent and now, it is stated that they have been summoned under Section 319 Cr.P.C.

The present petitioners are only to face trial in the trial Court. They are not required for investigation or interrogation purposes. Nothing is to be recovered from them. The trial of the case will take long time.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in the present petition and the same is allowed. The petitioners are directed to appear before the trial Court within seven days from today and on doing so, they shall be released on bail by the trial Court to its satisfaction.

November 10, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No