

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-38619 of 2015 (O&M)

Date of Decision: 25.01.2016

Ravi Kant @ Kaka

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. H.S. Batth, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.76 dated 9.3.2015 under sections 307, 302, 323, 34 I.P.C and sections 25, 27 of Arms Act, registered at Police Station, City Tarn Taran, District Tarn Taran.

Learned counsel for the parties have been heard.

F.I.R was registered on the statement of Sukhbir Singh. The occurrence is stated to be of 9.3.2015. Deceased is Amandeep Singh @ Bittu i.e. brother of the complainant. As per prosecution version, it was co-accused Sarwan Singh, who has been attributed a direct and overt act of having fired a shot with his revolver which struck Amandeep Singh @ Bittu on the right side of the chest. Further allegation is that after Amandeep Singh fell down having suffered the bullet injury, co-accused Sarwan Singh is stated to have fired two more shots and one of the bullet had hit Harmandeep Singh son of Shamsher Singh.

In so far as the present petitioner is concerned, the only role is of having raised a *Lalkara*.

The question as to whether offence under section 302 I.P.C is made out against the present petitioner would be a moot point.

Petitioner has been in custody since 16.3.2015.

Investigation in the case having been completed, challan was presented and even charges have been framed.

Learned State counsel upon instructions from S.I. Karanjit Singh would inform the Court that out of the 27 prosecution witnesses cited only one has been examined till date. The trial, as such, would take time to conclude.

Without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Tarn Taran.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

25.01.2016
lucky