

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

CRM-M No.39064 of 2015(O&M)

Date of Decision:-12.02.2016

Gurdip Singh @ Bhinda.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Narinder S. Lucky, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
assisted by ASI Tarsem Singh.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Gurdip Singh @ Bhinda in case FIR No.170 dated 13.09.2014 for offences punishable under Sections 307, 323, 148, 149 of Indian Penal Code and Section 325 IPC added later on registered with Police Station Kotwali, Kapurthala.

As per the allegations, under trial-complainant Nachatter Singh along with jail inmates Harmeet and Avtar Singh were attacked by co-prisoners including the present petitioner Gurdip Singh armed with Iron rods/pipes. The complainant suffered 18 injuries, Harmeet 03 and Avtar Singh 08.

It is contended that even the Pws in their testimonies have not supported the prosecution version. It is further contended that the identically placed co-accused Gurmeet Singh @ Budhu has been enlarged on bail vide order dated 10.07.2015. It is further submitted that except injury on the right hand of Avtar Singh rest of the injuries were opined to be simple in nature.

Learned State Counsel assisted by ASI Tarsem Singh submits that the challan has been presented and further does not dispute the fact of grant of bail to the similarly placed co-accused Gurmeet Singh @ Budhu.

Without going into the merits of the case, keeping in view the custody period, parity of treatment and that the trial is not likely to be concluded in near future, present petition is allowed and the petitioner Gurdip Singh @ Bhinda is ordered to be released on bail to the satisfaction of learned CJM/Duty Magistrate, Kapurthala.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

February 12, 2016
Vinay