

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

**CRM-M No.4384 of 2016 (O&M)
Date of Decision: 09.05.2016**

Saudagar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. T.S.Sangha, Senior Advocate assisted by
Mr. Narinder Singh, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by H.C. Randhir Singh.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Saudagar Singh in case FIR No.80 dated 23.11.2015, under Sections 307, 452, 336, 148, 149 of the Indian Penal Code and Sections 25/27 of the Arms Act, registered with Police Station Phul, District Bathinda.

The complainant-Simranjeet Singh alleges that on 22.11.2015 at around 8:00 PM, the petitioner, armed with 12 bore Gun; co-accused-Jasvir Singh @ Desa armed with .32 bore pistol; co-accused-Jagsir Singh @ Seera armed with .315 bore Rifle; co-accused-Angrej Singh @ Geji & Balbir Singh @ D.C. armed with .12 bore gun; co-accused-Manjinder Singh armed with country made pistol and co-accused-Ranjit Singh @ Kaku empty handed entered the house. Co-accused Jasvir Singh fired a shot which hit the complainant on the left arm, while the petitioner/accused-Saudagar Singh is alleged to have fired a shot from the licensed pistol, which the complainant and his cousin-Gurlal avoided by hiding behind a Wall, Rest of the co-accused/non-applicants are also alleged to have fired shots from their respective weapons on raising of a *Lalkara*.

It is contended that the complainant party is facing a trial for the murder of son-Amandeep Singh @ Amna of the petitioner/accused and in order to terrorize and compel for compromise, the aforesaid false version by fabricating self inflicting two injuries, which are simple in nature, has been foisted upon the accused party.

The petitioner is stated to be in custody since 23.11.2015 and after completion of the investigation, challan stands presented and 24 cited prosecution witnesses is yet to be examined.

Learned State Counsel, assisted by HC Randhir Singh, does not dispute the custody period and stage of the trial. She also concedes that only two simple injuries have been found on the left arm of the complainant.

Without commenting on the merits of the case, keeping in view the role attributed to the petitioner, custody period and the fact that trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

May 09, 2016
Gagan

(JASWANT SINGH)
JUDGE