

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

CRM-M-455 of 2016 (O&M)
Date of decision : 22.01.2016

Gurdas Singh @ Kaku

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Ms. Ruchi Sekhri, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
assisted with ASI Gurdev Singh.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.73 dated 30.05.2015, registered under Sections 323/324/34 of the Indian Penal Code (for short 'IPC') and Section 307, 325 IPC added later on, at Police Station Raman, Bathinda.

The learned counsel for the petitioner states that the injury Nos.3 and 4 are attributed to the petitioner and as per MLR (Annexure P-3), the same are not incisely dangerous. She further states that the petitioner is in custody since 11.07.2015 and the co-accused, namely,

Naib Singh @ Gurnaib Singh has already been admitted to bail by this Court vide order dated 17.12.2015 passed in CRM-M-41759 of 2015.

On the other hand, the learned State counsel opposes the bail and submits that the challan stands presented and charges are yet to be framed. He further states that the name of the petitioner specifically mentioned in the FIR.

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

Keeping in view the fact that the co-accused Naib Singh, has been admitted to bail, challan stands presented and charges are yet to be framed, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future.

In view of above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds/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.

22.01.2016

ashok

(JITENDRA CHAUHAN)
JUDGE