

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

CRM-M No.9228 of 2016(O&M)

Date of Decision:-30.05.2016

Sucha Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. J.S. Bedi, Senior Advocate assisted by
Mr. Sonpreet Brar, Advocate for the Petitioner.

Mr. R.S. Randhawa, Additional Advocate General, Punjab
assisted by ASI Devinder Singh.

Mr. Saurabh Arora, Advocate for the Complainant.

JASWANT SINGH, J. (ORAL)

CRM No.17911 of 2016

has been filed for placing on record the copy of MLR of
Mangal Singh along with report as Annexure **P-5** (Colly).

For the reasons stated in the application the CRM is allowed
and MLR of Mangal Singh along with report is taken on record as Annexure
P-5(Colly).

CRM-M No.9228 of 2016

Prayer is under Section 439 Cr.PC for grant of regular bail to
the petitioner-Sucha Singh in case FIR No.06 dated 13.01.2016 for offences
punishable under Sections 341, 427, 506, 382, 323, 148, 149 of Indian Penal

Code and Sections 325, 308 and 120-B IPC & Section 25 & 27 of the Arms Act (added later on) registered with Police Station Kulgari, District Ferozepur.

As per the allegations of the complainant-Baldev Singh, his brother Mangal Singh was waylaid by 10 named accused along with some unknown persons and gave severe beatings while also snatching his .32 bore revolver along with 06 live cartridges and cash worth Rs.20,000/-.

The injured Mangal Singh as per MLR has received 14 injuries including 08 opined to be grievous in nature.

The name of the petitioner-accused has been included as the main conspirator for casting the incident on account of an enmity with Mangal Singh, who was instrumental in sending him to jail on account of embezzlement of funds of the co-operative society.

It is contended that the offence under Section 307 IPC has since been deleted and as per MLR injuries were found on non vital parts of the body of Mangal Singh. Petitioner is further stated to be in custody since 19.02.2016 and the challan stands presented with 21 cited witnesses to be examined. It is thus submitted that the trial is not likely to be concluded in near future.

Counsel for the complainant vehemently opposes the grant of bail.

Learned State Counsel assisted by ASI Devinder Singh does not dispute the role attributed, custody period and fact that challan stand presented and the evidence of the prosecution witnesses is yet to commence.

Without commenting on the merits of the case, keeping in view the custody period and that the trial is not likely to be concluded in near

future, present petition is allowed and the petitioner, namely, **Sucha Singh** is ordered to be released on bail to the satisfaction of learned CJM/Duty Magistrate, Ferozepur.

Petition stands disposed of.

**(JASWANT SINGH)
JUDGE**

May 30, 2016
Vinay