

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-13998-2017

Date of decision : 05.05.2017

Ranjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Piyush Sharma, Advocate
for the petitioner.

Mr.Rajesh Mehta, Addl.A.G.Punjab.

Mr.Ranbir Singh Sekhon, Advocate
for the complainant.

AMOL RATTAN SINGH, J.(ORAL)

Learned counsel for the petitioner submits that the petitioner has been in custody for almost 3 years, which is now borne out from the custody certificate filed in Court today by the learned State counsel, showing that as of yesterday he is in custody from 2 years 10 months and 3 days.

He further submits that the petitioner has been attributed only a 'dang' blow to the father of the complainant and in fact the petitioner himself was shot in the back in fact by one of the deceased on the side of the complainant, i.e. by Karnail Singh, in support of which he has produced in Court the bed head ticket of the petitioner from Guru Gobind Singh Medical College, Hospital, Faridkot, showing that he has received a bullet injury on the left side of the lower back.

He further submits that as a matter of fact it is a case of an FIR and a cross version thereto, with fire arm injuries even received by those on the side of the accused in the FIR.

The factual position is not denied by the learned State counsel, on instructions from ASI Major Singh.

Learned counsel for the complainant however has referred to an order of this Court dated 09.02.2017, passed in CRM-M-40268-2016, CRM-M-40733-2016 and CRM-M-43695-2016, wherein this Court had dismissed the bail application of a co-accused, even though, it is contended by learned counsel, that they were similarly placed as the present petitioner.

Having considered the aforesaid submissions, the distinction between the bail applications dismissed in the aforesaid petitions by this Court on 09.02.2017 and the present petition, is the fact that the petitioner herein is actually shown to have received a bullet injury on his back, with only a 'dang' injury attributed to himself, upon the father of the complainant in the FIR.

Hence, in view of all the aforesaid facts, including that the petitioner is in custody for the past 2 years 10 months and 3 days, with the trial stated to be nowhere near conclusion as yet, it is considered appropriate to admit the petitioner to bail, upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

However, nothing stated hereinabove will be taken as an observation of this Court on the actual merits of the case, for or against the petitioner, which obviously would be gone into by the trial Court as per evidence led before it.

(AMOL RATTAN SINGH)
JUDGE

May 05, 2017.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No